

The Gazette of India

PUBLISHED BY AUTHORITY

No. 29] NEW DELHI, SATURDAY, JULY 22, 1961/ASADHA 31, 1883

NOTICE

The undermentioned Gazettes of India Extraordinary were published upto the 14th July, 1961'—

Issue No.	No. and Date	Issued by	Subject
184.	S.O. 1610, dated 8th July, 1961.	Ministry of Information and Broadcasting.	Approval of films specified therein.
185.	S.O. 1661, dated 14th July, 1961.	Ministry of Commerce and Industry.	Extending Order No. S.R.O. 1623-IDRA/18A/6/56, dated the 16th July, 1956 for a further period of one year.

Copies of the Gazettes Extraordinary mentioned above will be supplied on indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of these Gazettes.

PART II—Section 3—Sub-section (ii)

Statutory orders and notifications issued by the Ministries of the Government of India (other than the Ministry of Defence) and by Central Authorities (other than the Administrations of Union Territories).

ELECTION COMMISSION, INDIA

New Delhi, the 8th July, 1961.

S.O. 1664.—In pursuance of sub-rule (4) of rule 134 of the Representation of the People (Conduct of Elections and Election Petitions) Rules, 1956, the Election Commission hereby notifies the name of the person shown in column 1 of the Schedule below who having been a contesting candidate for election to the House of the People from the constituency specified in column 2 thereof, at the bye-election held in 1961, has, in accordance with the decision given today by the Election Commission under sub-rule (3) of the said rules, failed to lodge his account of election expenses within the time required by law and will accordingly become subject to the disqualification under clause (c) of section 7 of the Representation of the People Act, 1951 (Act 43 of 1951) on the expiration of two months from the date of the said decision.

SCHEDULE

Name of contesting candidate	Name of constituency
1	2
Shri Krishna Chandra Pant, 6-Maulana Azad Road, New Delhi.	Sultanpur

[No. UP-P/357/61-Bye(276)/15385.]

By order,

C. B. LAL, Under Secy.

MINISTRY OF HOME AFFAIRS

New Delhi-11, the 12th July 1961

S.O. 1665.—In exercise of the powers conferred by clause (1) of article 258 of the Constitution and in supersession of the notification of the Government of India in the Ministry of Home Affairs No. F. 22/35/59-Judl. II (G.S.R. 880), dated the 24th July, 1959, the President hereby entrusts, with the consent of the Government of Gujarat, to the Commissioners of Divisions in the State of Gujarat, and, with the consent of the Government of Maharashtra, to the Commissioners of Divisions in the State of Maharashtra, the functions of the Central Government under the Land Acquisition Act, 1894 (1 of 1894), in relation to acquisition of land for the purposes of the Union within the limits of the respective territorial jurisdiction of the said Commissioners, subject to the same control by the concerned State Government as is from time to time exercisable by that Government in relation to acquisition of land for the purposes of the State.

[No. F. 2/17/60-Judl. II.]

L. M. NADKARNI, Joint Secy.

MINISTRY OF FINANCE

(Department of Economic Affairs)

New Delhi, the 11th July 1961

S.O. 1666.—In exercise of the powers conferred by section 53 of the Banking Companies Act, 1949 (10 of 1949), the Central Government, on the recommendation of the Reserve Bank of India, hereby declares that the provisions of section 9 of the said Act shall not apply to the United Bank of India Ltd., Calcutta in respect of the property held by it at Chargadkhall, Nabadwip, West Bengal, till the 15th March 1962.

[No. F. 4(91)-BC/61.]

New Delhi, the 15th July 1961

S.O. 1667.—In exercise of the powers conferred by section 53 of the Banking Companies Act, 1949 (10 of 1949), the Central Government, on the recommendation of the Reserve Bank of India, hereby declares that the provisions of section 9 of the said Act shall not apply to the Bala Dhandapani Bank Private Ltd., Coimbatore in respect of the property held by it at Sowripalayam, Coimbatore District, Madras, till the 30th September 1962.

[No. F.4(91)-BC/61.]

S.O. 1668.—In exercise of the powers conferred by section 53 of the Banking Companies Act, 1949 (10 of 1949), the Central Government, on the recommendation of the Reserve Bank of India, hereby declares that the provisions of section 9

of the said Act shall not apply to the Gauhati Bank Ltd., Gauhati in respect of the undernoted properties held by it, till the 15th March 1963.

1. 36B-19L of land; Patta No. 39, Mauza-Karara, Vill-Majgaon.
2. 6B-1K-3L Patta No. 16.
3. 14B-5K-15L Patta No. 73, Mauza-Demoria.
4. 1B-17½L, Mauza-Ramsarani.
5. 23B-4L, Patta No. 3, Mauza-Pubborbhag.
6. 22B-1K-5L, Patta No. 91, Mauza-Upper bor bhag.
7. 18B-4K-8L, Patta No. 203, Mauza-Barnodi.
8. 4B-0K8L, Patta No. 40, Vill-Barpanara, Karara.
9. 4B-4K-11L, Patta No. 8, 77, 79, 82 and 88 Mauza-Khata.
10. 20B-4K-11L, Patta No. 56, 78, 138, 77, 137 and 58 Mauza-Barnodi.
11. 6B-4K-4L, Patta No. 260(216) and 13 Mauza-Silasundarighopa and Beltola.
12. 2B-10L, Patta No. 451, North Gauhati.
13. 65B-1K-9L, Patta No. 27, Mauza-Demoria.
14. 6B-14L, Patta No. 84 and 85, Mauza-Upperborbhag.
15. 2B Patta No. 88, Mauza-Bahjani.

[No. F.4(91)-BC/61.]

New Delhi, the 17th July 1961

S.O. 1669.—In exercise of the powers conferred by sub-section (2) of section 45 of the Banking Companies Act, 1949, the Central Government hereby extends the period of moratorium granted by it in respect of the Anthraper Bank (Private) Ltd., Shertallay, under the aforesaid sub-section upto and including the 18th August, 1961.

[No. F.4(31)-BC/61.]

D. N. GHOSH, Under Secy.

(Department of Economic Affairs)

New Delhi, the 13th July, 1961

S.O. 1670.—Statement of the Affairs of the Reserve Bank of India, as on the 7th July, 1961.

BANKING DEPARTMENT

Liabilities	Rs.	Assets	Rs.
Capital paid up	5,00,00,000	Notes	27,45,63,000
Reserve Fund	80,00,00,000	Rupee Coin	1,86,000
National Agricultural Credit (Long-term Operations) Fund	50,00,00,000	Subsidiary Coin	2,15,000
National Agricultural Credit (Stabilisation) Fund	6,00,00,000	Bills Purchased and Discounted :—	
		(a) Internal
		(b) External
		(c) Government Treasury Bills	38,43,42,000
Deposits :—			
(a) Government			
(1) Central Government	54,51,08,000	Balances held abroad*	16,54,15,000
(2) Other Governments	8,96,33,000	**Loans and Advances to Governments	37,16,08,000
(b) Banks	91,68,73,000	Other Loans and Advances†	123,78,70,000
(c) Others	111,13,98,000	Investments	183,56,09,000
Bills Payable	34,37,24,000	Other Assets	25,50,01,000
Other Liabilities	10,80,93,000		
RUPRES	452,48,29,000	RUPRES	452,48,29,000

*Includes Cash & Short-term Securities.

**Includes Temporary Overdrafts to State Governments.

†The item 'Other Loans and Advances' includes Rs. 6,54,00,000/- advanced to scheduled banks against usance bills under Section 17 (4) (c) of the Reserve Bank of India Act.

Dated the 12th day of July, 1961.

An Account pursuant to the Reserve Bank of India Act, 1934, for the week ended the 7th day of July, 1961

ISSUE DEPARTMENT

Liabilities	Rs.	Rs.	Assets	Rs.	Rs.
Notes held in the Banking Department	27,45,83,000		A. Gold Coins and Bullion :-		
Notes in circulation	1949,26,61,000		(a) Held in India	117,76,03,000	
Total Notes Issued		1976,72,44,000	(b) Held outside India	
			Foreign Securities	93,00,89,000	
			TOTAL OF A		210,76,92,000
			B. Rupee Coin		119,02,87,000
			Government of India Rupee Securities		1646,92,65,000
			Internal Bills of Exchange and other commercial paper
TOTAL LIABILITIES		1976,72,44,000	TOTAL ASSETS		1976,72,44,000

Dated the 12th day of July, 1961.

H. V. R. IENGAR,
Governor.

[No. F.3(2)-BC/61.]

A. BAKSI, Jr. Secy.

Sec. 3(ii)]

THE GAZETTE OF INDIA : JULY 22, 1961/ASADHA 51, 1883

1633

(Department of Economic Affairs)**CORRIGENDA***New Delhi, the 13th July 1961*

S.O. 1671.—Corrigenda of the Gazette Notification dated the 24th May, 1961, issued under sub-sections (2) and (4) of Section 101A of the Insurance Act, 1938 published in the Gazette of India Extraordinary Part II, Section 3 sub-section (ii), dated the 24th May, 1961 under No. S.O. 1206:—

"Page 740 In item 4 of Table I read 'pedal' for 'Paddle'.

Page 740 In item 6 of the Table I read 'I.A.C.' for 'L.I.C.' and 'insurers' for 'insurers'.

Page 743 In paragraph 16 sub-paragraph (i) delete ',' (comma) appearing between 'Miscellaneous' and 'Insurance' in the last item.

Page 743 In paragraph 16 sub-paragraph (ii) the bracket should cover all item except 'Fire'.

Page 743 In paragraph 16 sub-paragraph (iii) add 'premium' after 'portfolio'."

[No. 51(32)-Ins. I/61.]

P. GANGULEE, Dy. Secy.

(Department of Revenue)**ESTATE DUTY***New Delhi, the 12th July 1961*

S.O. 1672.—It is hereby notified that the appointment of the undermentioned Valuers, whose names were included in the list of Valuers published under the notification of the Central Government No. 46/F. No. 5/111/58-E.D., dated the 13th October, 1958 in Part II, Section 3(ii) of the Gazette of India dated the 18th October, 1958, as S.O. 2143, has been renewed by the Central Government for a further period of three years with effect from the 12th July, 1961.

1. Engineers/Surveyors/Architects

Sl. No.	Name	Address
1	Shri Bysakh, B., B.E. (Mech.), A.M.I.E. (Ind.), A. M. I. P. E. (England),	55, W. C. Banerjee Street, CALCUTTA-60.
2	Shri Noorani, K.A., B.E. (Civil) M.I.E.,	C/o. M/s. Karim Noorani & Co., Engineers etc., Mustafa Building, Sir Pherozeshah Mehta Road, BOMBAY.
3	Shri Rathod, M. P., B.E. (Civil), M.I.E. (Ind.), M.R.S.H. (London), M. Am., Soc. C.E. (N.Y.),	C/o. M/s. M. P. Rathod & Co., Chartered Accountants etc., 6, Union Bank Building, 3rd Floor, Appollo Street, Fort, BOMBAY-1.
4	Shri Sanghani, Chunilal K., B. Sc., B.E. (Civil),	79, Meadows Street, Fort, BOMBAY.
5	Shri Anand, R.G., G.D. (Arch.) F.I.I.A.,	C/o. M/s. Anand Aptay & Jhabvala, Architects & Town Planners, 3/90, Connaught Circus, NEW DELHI.
6	Shri Kalra, K. R., B.A. (Hons.), C. E., M.I.E.,	56-A., Friends Colony, NEW DELHI-14.
7	Shri Kuriyan, I., B.A., B. E., M. I. E. (Ind.),	Pathyl, Triuvella P. O. (KERALA STATE)

Sl. No.	Name	Address
8	Shri Venkatesh Rao, C. R. B. Sc., B.E., A.M.I.E.,	Osmania Buildings, Narasimharaja Road, BANGALORE—2.

II Accountants

1	Shri Chakravorti, N., M.A., F.C.A.	C/o. M/s. N. Chakravorti & Co., Chartered Accountants, 8, 2, Hastings Street, Room No. 30, 2nd Floor, CALCUTTA-1.
2	Shri Dastur, D.N., F.C.A.	C/o. M/s. Dastur Kanga & Co., Chartered Accountants, 5, Hamam Street, Fort, BOMBAY—I.
3	Shri Kanga, J.R., F.C.A.	C/o. M/s. Dastur Kanga & Co., Chartered Accountants, 5, Hamam Street, Fort, BOMBAY—I.
4	Shri Kelkar, D.K., A.C.A.	Kalyani Barracks, Camp Satara, (District North Satara) (BOMBAY STATE).
5	Shri Kapur, N.D., F.C.A.	C/o. M/s. N. D. Kapur & Co., Chartered Accountants, Flat 2-A, Shankar Market, Connaught Circus, NEW DELHI.

2. The scale of charges for the remuneration of Valuers appointed by the Central Government for valuing any property shall be as fixed below and no such Valuers shall charge a fee at a scale higher than the scale so fixed.

Scale of Charges

On the first Rs. 50,000/- of the property so valued	1 2% of the value
On the next Rs. 1,00,000/- of the property so valued	1/4% of the value.
On the balance of the property so valued	1 8% of the value

[No. 54/F. No. 5/16/61-E.D.]

New Delhi, the 18th July 1961

S O. 1673.—In exercise of the powers conferred by sub-section (3) of Section 4 of the Estate Duty Act., 1953 (34 of 1953), the Central Government hereby appoints the persons, whose names are given in the appendix, as Valuers for the purposes of the said Act for a period of three years from the date of this notification.

2. The scale of charges for the remuneration of Valuers appointed by the Central Government for valuing any property shall be as fixed below and no such Valuer shall charge a fee at a scale higher than the scale so fixed.

Scale of Charges

On the first Rs. 50,000/- of the property so valued	1/2% of the value.
On the next Rs. 1,00,000/- of the property so valued	1/4% of the value.
On the balance of the property so valued	1/8% of the value.

APPENDIX

I. Engineers/Surveyors/Architects

Sl. No.	Name	Address
1	Shri Joglekar, P.G., B.E. (Bom.), M.I.E. (Ind.), Retd. Superintending Engineer, M P P W D.	27, New Palasia, INDORE.
2	Shri Mahal, B.S., M.I.E. (Ind.), A.M.I.E. (London), Retd. Superintending Engineer (Eastern Command).	Village Hangoli, P.O. Mustafabad. (District Ambala).
3	Shri Patil, A.S. F.R.I.B.A. (Lond.), F.I.I.A.	C/o M/s. B. Mhatre Patil & Co., Architects & Surveyors, Bombay Mutual Bldg, Sir, P.M. Road, Fort, BOMBAY.
4	Shri Shah, P.C., B.E. (Civil)	Dandiwalla Nivas, Ashapuri Road, NAVSARI.
5	Shri Shah, S.M., B.E. (Civil), A.M.I.E., Retd. District Engineer (Western Railway).	Anupam 2nd Floor, Ansari Road, Vile Parle (West), BOMBAY. 57.

II. Specialists in Jewellery, Precious Stones and Ornaments

1.	M/s. Tribhovandas Bhujji, Zaveri	241-43, Shaikh Memon Street BOMBAY-2.
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[No. 55/F.No.5/25/61-E.D.]

M. B. PALEKAR, Dy Secy.

(Department of Revenue)

INCOME-TAX ESTABLISHMENTS

New Delhi, the 14th July 1961

S.O. 1674—In pursuance of clause (b) of Sub-rule (11) of rule 2 of the Appellate Tribunal Rules, 1946, the Central Government has been pleased to appoint Shri D. K. Guha, Income-tax Officer, as Junior Authorised Representative, Income-tax Appellate Tribunal, Calcutta, with effect from 4th January, 1961 to 20th January 1961, to appear, plead and act for any Income-tax authority who is a party to any proceedings before the Income-tax Appellate Tribunal.

[No. 208.]

S.O. 1675—Consequent on his posting as Income-tax Officer in the charge of the Commissioner of Income-tax, West Bengal, Calcutta, the powers conferred on Shri D. K. Guha by the Ministry of Finance (Department of Revenue) Notification No. 208, Income-tax Establishments, dated the 14th July, 1961 are hereby withdrawn.

[No. 209.]

D. SUBRAMANIAM, Dy Secy.

CENTRAL BOARD OF REVENUE

INCOME-TAX

New Delhi, the 13th July 1961

S.O. 1676—In exercise of the powers conferred by sub-section (2) of Section 5 of the Indian Income-tax Act, 1922 (11 of 1922) and in partial modification of all previous notifications on the subject, the Central Board of Revenue hereby directs that with effect from 26th June, 1961 (forenoon) Shri F. H. Vallabhoy, a Commissioner of Income-tax, shall perform all the functions of Commissioner of Income-tax in respect of such areas or of such persons or classes of persons

or of such incomes or classes of incomes or of such cases or classes of cases as are comprised in the Income-tax Circles, Wards or Districts in the State of Madras:

Provided that he shall also perform his functions in respect of such persons or of such cases as have been or may be assigned by the Central Board of Revenue to any Income-tax Authority subordinate to him:

Provided further that he shall not perform his functions in respect of such persons or of such cases as have been or may be assigned to any Income-tax Authority outside his jurisdictional area.

While performing the said functions the said Shri Vallibhoj shall be designated as the Commissioner of Income-tax, Madras with headquarters at Madras.

Explanatory Note

NOTE.—The amendments have become necessary due to change in the incumbent of Commissioner's post.

(The above note does not form a part of the notification but is intended to be merely clarificatory).

[No. 43 (F. No. 55/1/61-IT.).]

CORRIGENDUM

New Delhi, the 13th July, 1961

S.O. 1677.—In the Board's Notifications:

- (i) No. 64 dated 13th June 1960 published as S.O. 1554 on page 1812 of the Gazette of India dated 25th June 1960;
- (ii) No. 25 dated 17th May 1961 published as S.O. 1154 on pages 1100-1101 of the Gazette of India dated 27th May 1961;
- (iii) Nos. 34 and 35 dated 15th June 1961 published as S.O. 1418 and S.O. 1419 on pages 1337-1338 of the Gazette of India dated 24th June 1961;

For

Wards or Districts in the State of Bombay'.

Read

'Wards or Districts in the Greater Bombay District of the State of Maharashtra'.

[No. 44(F.No. 55/1/61-IT).]

D. V. JUNNARKAR, Under Secy.

POONA CENTRAL EXCISE COLLECTORATE

CENTRAL EXCISE

Poona, the 19th June, 1961

S.O. 1678.—In exercise of the powers vested in me under Rule 233 of the Central Excise Rules, 1944, I direct that the Central Excise licensees required to maintain the following records, shall preserve the same for the period mentioned against each.

<i>Description of Records</i>	<i>Period of preservation</i>
1. Form E. B. (1-3)	Three years after completion.
2. Form E.B. (4 and 4) (Matches)	Three years after completion.
3. Form R.G. (1-3), 3 (cr) 4, 5, 6 (c), 6(g), 7 to 16	One year after completion.
4. Form A. R. (1-4) 4 (land), 5 (conf.)	Four years after completion.
5. Gate passes	Four years after completion.

<i>Description of Records</i>	<i>Period of Preservation</i>
6. Sale Notes	One year after completion.
7. Form R.T. (1,2,3,5,7, (e), 8 (c)	Five years after completion.
8. Form R.T. (4,6,6 (cr) 9 and 10	Two years after completion.
9. Form W.R.G. (1 and 2),	Four years after completion.
10. Form W.R. G. 3	Three years after completion.
11. Form R. Q. 1	One year after completion.
12. Stock cards	Three years after completion.
13. Weighment Registers	Four years after completion.

[No. CER/6/61.]

B. D. DESHMUKH, Collector.

CENTRAL EXCISE COLLECTORATE, BARODA**CENTRAL EXCISE****MANUFACTURED PRODUCTS***Baroda, the 4th July 1961*

S.O. 1679.—In exercise of the powers conferred upon me under rule 5 of the Central Excise Rules, 1944, I authorise officers not below the rank of the Superintendents of Central Excise of this Collectorate to exercise, within their respective jurisdictions, the powers of the Collector under sub-rules (2) and (3) of Rule 9-B of the said Rules.

[No. 3/1961.]

G. KORUTHU, Collector.

**OFFICE OF THE ASST. COLLECTOR OF CENTRAL EXCISE, GOA
FRONTIER DIVISION, BELGAUM****NOTICES***Belgaum, the 11th July 1961*

S.O. 1680.—Whereas it appears that the goods as mentioned in the under mentioned table seized in the vicinity of the Indo-Goa border, were imported by land from Goa (Portuguese possessions in India) in contravention of the Rules and Notifications as mentioned against each.

Sl. No.	Date & place of seizure	By whom detected	Description of goods	Quantity	Rules contravened
1	2	3	4	5	6
138/61	14-4-1961 In the Mango Garden at Kalane-village.	" B " r Company Commander Dodamarg.	Betelnuts	Mds. Srs. 16 05	Section 5 (1) of the Land Customs Act, 1924 and the Government of India Ministry of Commerce and Industry Import (Control) Order No. 17/55 dt. 7-12-55 issued

1	2	3	4	5	6
					under Sections 3 & 4A of the Import and Export Control Act, 1947 and further deemed to have been issued under Section 19 of the Sea Customs Act, 1878.

2. Now, therefore, any person claiming the goods is hereby called upon to show cause to the Asstt. Collector of Central Excise and Land Customs, Goa Frontier Division, Belgaum why the above mentioned goods should not be confiscated under Section 5(3) of the Land Customs Act, 1924 read with Section 167(8) and 168 of the Sea Customs Act, 1878, and why a penalty should not be imposed on him under Section 7(1)(c) of the Land Customs Act, 1924 read with Section 167(8) of the Sea Customs Act, 1878.

3. If such an owner fails to turn up to claim the above mentioned unclaimed goods or to show cause against the action proposed to be taken within 30 days from the date of publication of this notice in the Government of India Gazette, the goods in question will be treated as unclaimed and the case will be decided accordingly.

[No. VIII(b)10-138/61.]

S.O. 1681.—Whereas it appears that the goods as mentioned in the under-mentioned table seized in the vicinity of the Indo-Goa border, were about to be exported by land to Goa (Portuguese possessions in India) in contravention of the Rules and Notifications as mentioned against each.

Sl. No.	Date & place of seizure	By whom detected	Description of goods	Quantity	Rules contravened
1	2	3	4	5	6
147/61	30-3-1961 At Talawda Village	Inspector C.Ex. F.S. Jamboti	(1) He Buffalos (2) Bullocks	Nos. 5 4	Section 5 (1) of the Land Customs Act, 1924 and the Government of India, Ministry of Commerce and Industry Export (Control) order No. 1/58 dt. 1-5-1958 issued under sections 3 & 4A of the Imports and Exports (Control) Act, 1947 and further deemed to have been issued under Sec. 19 of the Sea Customs Act 1878.

2. Now, therefore, any person claiming the goods is hereby called upon to show cause to the Asstt. Collector of Central Excise and Land Customs, Goa Frontier Division, Belgaum, why the above mentioned goods should not be confiscated under Section 5(3) of the Land Customs Act, 1924, read with Section

167(8) and 168 of the Sea Customs Act, 1878 and why a penalty should not be imposed on him under Section 7(1)(c) of the Land Customs Act, 1924, read with Section 167(8) of the Sea Customs Act, 1878.

3. If such an owner fails to turn up to claim the above mentioned unclaimed goods or to show cause against the action proposed to be taken within 30 days from the date of publication of this notice in the Government of India Gazette, the goods in question will be treated as unclaimed and the case will be decided accordingly.

[No. VIII(b)10-147/61.]

Belgaum, the 12th July 1961

S.O. 1682.—Whereas it appears that the goods as mentioned in the undermentioned table seized in the vicinity of the Indo-Goa border, were imported by land from Goa (Portuguese possessions in India) in contravention of the Rules and Notifications as mentioned against each.

Sl. No.	Date and place of seizure	By whom detected	Descriptive of goods	Quantity	Rules contravened
1	2	3	4	5	6
143/61	19-3-61 At "Narsa" near Chowky Goa Border.	Post Commander S.R.P.F., Sasoli.	Betelnuts	Mds. Srs 4-20	Section 5 (1) of the Land, Customs Act, 1924 and the Government of India Ministry of Commerce and Industry, Import (Control) Order No. 17/55 dt. 7-12-55 issued under Sections 3 & 4A of the Import and Export Control Act, 1947 and further deemed to have been issued under Section 19 of the Sea Customs Act, 1878.

2. Now, therefore, any person claiming the goods is hereby called upon to show cause to the Asstt. Collector of Central Excise and Land Customs, Goa Frontier Division, Belgaum, why the above mentioned goods should not be confiscated under Section 5(3) of the Land Customs Act, 1924 read with Section 167(8) and 168 of the Sea Customs Act, 1878 and why a penalty should not be imposed on him under Section 7(1)(c) of the Land Customs Act, 1924 read with Section 167(8) of the Sea Customs Act, 1878.

3. If such an owner fails to turn up to claim the above mentioned unclaimed goods or to show cause against the action proposed to be taken within 30 days from the date of publication of this notice in the Government of India Gazette, the goods in question will be treated as unclaimed and the case will be decided accordingly.

[No. VIII(b)10-143/61.]

Belgaum, the 13th July 1961

S.O. 1683.—Whereas it appears that the goods as mentioned in the undermentioned table seized in the vicinity of the Indo-Goa border, were imported by Land

from Goa (Portuguese possessions in India) in contravention of the Rules and Notifications as mentioned against each.

Sl. No.	Date and place of seizure	By whom detected	Description of goods	Quantity	Rules contravened
1	2	3	4	5	6
				Mds. Srs.	
134/61	24-4-1961 At Chintamani Kavathan	'A' Coy— Commander S.R.P.F. II Malewadi	Betelnuts	4 15	Section 5 (1) of the Land Customs Act, 1924 and the Government of India Ministry of Commerce and Industry Import (Control) Order No. 17/55 dt. 7-12-1955 issued under Sections 3 & 4A of the Import and Export Control Act, 1947 and further deemed to have been issued under Section 19 of the Sea Customs Act, 1878.

2. Now, therefore, any person claiming the goods is hereby called upon to show cause to the Asstt. Collector of Central Excise and Land Customs, Goa Frontier Division, Belgaum, why the above mentioned goods should not be confiscated under Section 5(3) of the Land Customs Act, 1924 read with Section 167(8) and 168 of the Sea Customs Act, 1878, and why a penalty should not be imposed on him under Section 7(1)(c) of the Land Customs Act, 1924 read with Section 167(8) of the Sea Customs Act, 1878.

If such an owner fails to turn up to claim the above mentioned unclaimed goods or to show cause against the action proposed to be taken within 30 days from the date of publication of this notice in the Government of India Gazette, the goods in question will be treated as unclaimed and the case will be decided accordingly.

[No VIII(b)-134/61.]

E. R. SRIKANTIA, Asstt Collector.

MINISTRY OF COMMERCE & INDUSTRY

New Delhi, the 12th July 1961

S.O. 1684—Shri A. K. Sen, a permanent Grade I Officer of the Central Secretariat Service, now employed as Secretary, Tea Board, Calcutta was granted earned leave for 34 days with effect from the 15th May 1961 to 17th June 1961, with permission to prefix 13th and 14th May 1961 (Second Saturday and Sunday) and suffix 18th June 1961 (Sunday) to his leave.

On return from leave, Shri A. K. Sen resumed duty in the post of Secretary, Tea Board, with effect from 19th June 1961 (forenoon).

[No. 1(28)Plant(A)/61.]

B. KRISHNAMURTHY, Under Secy.

New Delhi, the 15th July 1961

S.O. 1685.—In exercise of the powers conferred by sub-clause (b) of clause 2 of the Cinema Carbons (Control) Order, 1961, the Central Government hereby appoints Shri N. H. Nagarwalla, Deputy Chief Controller of Imports and Exports in the Office of the Joint Chief Controller of Imports and Exports, Bombay to exercise the powers of the Controller under the said order.

[No. EEI-2(45)/60.]

K. N. SHENOY, Dy. Secy.

New Delhi, the 18th July 1961

S.O. 1686.—The Government of Gujarat, having nominated the Registrar of Cooperative Societies and Director of Cottage Industries, Ahmedabad, to be a member of the Central Silk Board, under Clause (g) of sub-section (3) of section 4 of the Central Silk Board Act, 1948 (61 of 1948), the Central Government hereby appoints the Registrar of Cooperative Societies and Director of Cottage Industries, Ahmedabad aforesaid to be a member of the Central Silk Board and makes the following further amendments in the notification of the Government of India in the Ministry of Commerce and Industry No S.O. 790 dated the 7th April, 1961.

In the said notification after serial number 15, the following shall be inserted, namely:—

"15-A The Registrar of Cooperative Societies and Director of Cottage Industries, Government of Gujarat, Ahmedabad.

Nominated by the Government of Gujarat under section 4(3)(g) of the Act.

[No. F. 22/1/61-HS.2.]

J. C. ELING, Under Secy.

New Delhi, the 18th July 1961

S.O. 1687.—The following byclaws further to amend the Coir Board (Contributory Provident Fund) Bye-laws, 1955, made by the Coir Board in exercise of the powers conferred by Section 27 of the Coir Industry Act, 1953 (45 of 1953) and confirmed by the Central Government are hereby published, as required by sub-section (2) of the said section, namely:—

1. These bye-laws may be called the Coir Board (Contributory Provident Fund)—Amendment Bye-Laws, 1961.
2. In the Coir Board (Contributory Provident Fund) Bye-Laws, 1955,
 - (i) in clause (i) of the bye-law 9, for the expression "1/12th", the expression "not less than 1/12th and not more than 1/8th" shall be substituted;
 - (ii) for the existing clause (2) of bye-law 9, the following clause shall be substituted namely:—

"(2) The amount of subscription payable under clause 9(1) shall be expressed in whole rupees (fifty naye paise counting as the next higher rupee)";
 - (iii) for the existing clause (2) of bye-law 11, the following clause shall be substituted namely:—

"(2) The Contribution by the Board to the Fund shall be at a rate of 1/12th of the monthly emoluments of the subscriber.";
 - (iv) for the existing clause (3) of bye-law 11, the following clause shall be substituted:

"(3) The amount of contribution payable by the Board shall be rounded to the nearest whole rupee (fifty naye paise as the next higher rupee)".

[No. F. 42(31)/55-SSI(B).]

P. S. V. RAGHAVAN, Under Secy.

ORDER

New Delhi, the 15th July 1961

S.O. 1688|DRA|18G|68|61.—In exercise of the powers conferred by Section 18G of the Industries (Development and Regulation) Act, 1951 (65 of 1951), the Central Government hereby makes the following Order further to amend the Cement Control Order, 1958, namely:—

1. This Order may be called the Cement Control (Fourteenth Amendment) Order, 1961.
2. In the Schedule to the Cement Control Order, 1958—
 - (1) for the entry against serial No. 12, the following entry shall be substituted, namely:—

<i>Name of producer</i>	<i>Price per metric tonne</i>
"12. Messrs Bagalkot Cement Co. Ltd., Bagalkot	63.59 (63.92)";

- (2) at the end, the following note shall be inserted, namely:—

"NOTE: The price specified within brackets against serial No. 12 above is the price per British Ton for the period beginning from the 1st January, 1960 and ending on the 30th September, 1960".

[No. Cem.8(3)/61.]

R. NATARAJAN, Under Secy

TRADE AND MERCHANDISE MARKS

New Delhi, the 18th July 1961

S.O. 1689.—In exercise of the powers conferred by sub-section (1) of section 127 and section 133 of the Trade and Merchandise Marks Act, 1958 (43 of 1958), the Central Government hereby makes the following amendment to the Trade and Merchandise Marks Rules, 1959, the same having been previously published as required by sub-section (1) of the said section 133, namely:—

1. These rules may be called the Trade and Merchandise Marks (Amendment) Rules, 1961.
2. In the First Schedule to the Trade and Merchandise Marks Rules, 1959, after entry No. 72, the following entry shall be inserted, namely:—

"72A Cost of preparing photo copies of documents.	For full size (6½"×8½" or 6"×10").... Rs. 5.00 for the first copy and Rs. 4.50 nP. for each additional copy thereof. For cabinet size (4½×6½") Rs. 3.50 nP. for the first copy and Rs. 3.00 for each additional copy thereof"
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[No. 2(1)-TMP/61.]

M. H. SIDDIQI, Under Secy.

(Department of Company Law Administration)

New Delhi, the 13th July 1961

S.O. 1690.—In exercise of the powers conferred by clause (a) of sub-section (1) of Section 448, of the Companies Act, 1956, (1 of 1956) the Central Government hereby appoints Shri Md. Yahya, Deputy Registrar of the High Court of Judicature at Patna to be the ex-officio Official Liquidator attached to that Court with effect from the afternoon of 15th May, 1961, until further orders *vice* Shri Chandreka Prasad Sinha.

[No. 8(13)-Admn. 11/61.]

P. B. SAHARYA, Under Secy.

MINISTRY OF STEEL, MINES & FUEL**(Department of Mines & Fuel)***New Delhi, the 15th July 1961*

S.O. 1691.—Whereas by the Notification of the Government of India in the Department of Mines and Fuel (Ministry of Steel, Mines and Fuel) S.O. 2669 dated the 14th November, 1959 under sub-section (1) of section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), the Central Government gave notice of its intention to prospect for coal in the lands measuring 1950.00 acres in the locality specified in the Schedule appended to that Notification and reproduced in the Schedule appended hereto;

And whereas in respect of the said land no notice under sub-section (1) of Section 7 of the said Act has been given;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 7 the Central Government hereby specifies further period of one year commencing from the 28th November, 1961 as the period within which the Central Government may give notice of its intention to acquire the said land or any rights in or over the said lands.

SCHEDULE**Drawing No. Rev/36/59****Jhilimili Coalfield (Katkona Block)**

Sl. No.	Village	Tahsil	Tahsil No.	Distt.	Area	Remarks
1.	Katkona	Baikunthpur	—	Surguja	490.00 acres	Part
2.	Reserved forest.	Baikunthpur	—	Surguja	1460.00 acres	Part
Total:					1950.00 Acres (Approximately).	

Boundary Description:

AB line passes along the Southern Boundary of village Karri and part of Southern Boundary of Jhilimili coalfield Limited.

BC line passes through Reserved forest.

CD line passes through village Katkona and part through Reserved forest.

DA line passes through Reserved forest.

The map of this area can be inspected at the Office of the National Coal Development Corporation Ltd. (Revenue Section), Darbhanga House, Ranchi or at the Office of the Collector, Surguja.

[No. C2-22(5)/59-C3.]

S. KOTEESEWARAN, Under Secy.

(Department of Iron and Steel)*New Delhi, the 13th July 1961*

S.O. 1692/ESS. COMM/IRON & STEEL-15(1)/AM(46).—The following Notification issued by the Iron & Steel Controller under clause 15(1) of the Iron and Steel (Control) Order, 1956 is published for general information.

"NOTIFICATION"

In exercise of the powers conferred by sub-clause (1) of clause 15 of the Iron & Steel (Control) Order, 1956, and with the approval of the Central Government, the Iron & Steel Controller hereby notifies the following amendment to

the prices of wire and wire-products published under notification No. AR-II(1)-(6)-61/611 in the Gazette of India, Part III Section I dated 11th February, 1961.

Amendment

"The existing prices of tested annealed wires and Telegraph wires are uniformly increased for all the columns by Rs. 15-00 and Rs. 17-00 per tonne respectively."

C. V. RAMACHANDRAN,
Price and Accounts Officer
for Iron and Steel Controller."

[No. SC(C)-2(48)/61.]

New Delhi, the 17th July 1961

S.O. 1693/ESS. COMM/Iron and Steel 15(1)/AM(47).—The following Notification issued by the Iron and Steel Controller under Sub-clause 1 of Clause 15 of the Iron and Steel (Control) Order, 1956, is published for general information:—

"NOTIFICATION

In exercise of the powers conferred by Sub-clause 1 of Clause 15 of the Iron and Steel (Control) Order, 1956, and with the approval of the Central Government, the Iron and Steel Controller hereby notifies the following amendment to the Notification No. S.O. 1445/ESS. COMM/Iron and Steel-15(1)-AM(45) published in Part II, Section 3(ii) of the Gazette of India dated 24th June, 1961, in which the special selling price for 1,000 Tons of Door Striking Bars rolled by M/s. Punjab Industries, Calcutta (Un-Registered Producers) has been fixed.

For the heading "Selling price in Rupees per Metric Ton Ex. Works."

Read the following "Selling price in Rupees per Long Ton Ex. Works."

S. S. SINHA,
Dy. Price and Accounts Officer
for Iron and Steel Controller."

[No. SC(C)-2(7)/61.]

J. S. BAIJAL, Under Secy.

MINISTRY OF FOOD & AGRICULTURE

(Department of Agriculture)

New Delhi, the 12th July 1961

S.O. 1694.—In exercise of the powers conferred by section 3 of the Agricultural Produce (Grading and Marking) Act, 1937 (1 of 1937), the Central Government hereby makes the following rules, the same having been previously published as required by the said section, namely:—

PEPPER GRADING AND MARKING RULES, 1961

1. **Short title and application.**—(1) These rules may be called the Pepper Grading and Marking Rules, 1961.

(2) They shall apply to pepper (*Piper nigrum*) produced in India and intended for export.

2. **Definition.**—In these rules—

"Schedule" means a Schedule to these rules.

3. **Grade designations.**—Grade designations to indicate the quality of pepper shall be as set out in column 1 of Schedules I to V.

4. **Definition of quality.**—The quality indicated by the grade designations shall be as set out against each grade designation in Schedules I to V.

5. **Grade designation marks.**—The grade designation mark shall consist of a label bearing a design (consisting of an outline map of India with the word "AGMARK" and the figure of rising sun with the words "Produce of India") resembling that set out in Schedule VI.

6. **Method of marking.**—(1) The grade designation mark shall be securely affixed to each container in the manner approved by the Agricultural Marketing Adviser to the Government of India. In addition to the grade designation mark, each container shall be marked with such particulars and in such manner as may be specified by the aforesaid officer from time to time.

(2) An authorised packer may after obtaining the previous approval of the Agricultural Marketing Adviser to the Government of India, mark his private trade mark on a container in a manner approved by the said officer; provided that the private trade mark does not represent a quality or grade of pepper different from that indicated by the grade designation mark affixed on the container in accordance with these rules.

7. **Method of packing.**—(1) The pepper shall be packed and securely closed and sealed in a manner approved by the Agricultural Marketing Adviser to the Government of India from time to time.

(2) Each package or container shall contain pepper of one grade designation only. Where more than one package is put in a large container all the packages shall bear Agmark labels and the outer container shall also bear an Agmark label.

8. **Special conditions of certificate of authorisation**—In addition to the conditions specified in rule 4 except clause (e), of the General Grading and Marking Rules, 1937 the conditions set out in Schedule VII shall be the conditions of every certificate of authorisation issued for the purpose of these rules.

SCHEDULE I

(See rules 3 and 4)

Grade designations and definitions of quality of garbled Malabar black pepper

Grade Designation	Extra-mucous matter* not exceeding (per cent)	Light berries not exceeding (per cent)	Moisture content not exceeding (per cent)	General Characteristics.
1	2	3	4	5
M.G. Grade 1	0.5	2.0	11.0	Shall be the dried mature berries of <i>piper nigrum</i> grown in South India, garbled, dark brown to dark black in colour, nearly globular with a wrinkled surface the deepest wrinkles forming a net work on the dried berry. It shall be free from mould or insects or any other adulterant.
M.G. Grade 2	0.5	3.0	11.0	

*These comprise dust, chaff, pickings and other foreign matter. Pinheads will be regarded as extraneous matter.

SCHEDULE II

(See Rules 3 and 4)

Grade designations and definitions of quality of ungarbled Malabar Black Pepper.

Grade Designation	Extra-neous matter* not exceeding (per cent)	Light berries not exceeding (per cent)	Moisture content not exceeding (per cent)	General Characteristics
1	2	3	4	5
MUG Grade 1	2	7 0	12.0	Shall be the dried mature berries of <i>piper nigrum</i> grown in South India, colour varying from brown to black with a wrinkled surface. Shall be free from insects.
MUG Grade 2	2	10.0	12 0	

*These comprise dust, chaff, pickings and other foreign matter. Pinheads will be regarded as extraneous matter.

Tolerance for mouldy pepper upto 1 per cent.

SCHEDULE III

(See Rules 3 and 4)

Grade designations and definitions of quality of garbled 'Light black pepper'

Grade Designation	Extraneous matter* not exceeding (per cent)	General Characteristics
1	2	3
GL Grade 1	2	Shall be the dried berries of <i>piper nigrum</i> grown in South India, dark brown to dark black in colour and garbled. They shall be well dried and free from mould or insects.
GL Grade 2	4	

*These comprise dust, chaff, pickings and other foreign matter. Pinheads will be regarded as extraneous matter.

SCHEDULE IV

(See Rules 3 and 4)

Grade designation and definition of quality of 'Pinheads'

Grade Designation	Extraneous matter* not exceeding (per cent)	General Characteristics
1	2	3
PH Grade I	3	Shall be wholly derived from the Spikes of <i>Piper nigrum</i> grown in South India. They shall be reasonably dry and free from insects. The colour shall be from dark brown to black.

*These comprise dust, chaff, pickings and other foreign matter.

SCHEDULE V

(See Rules 3 and 4)

Grade designation and definition of quality of black pepper (non-specified)

Grade Designation	Extraneous matter* not exceeding (per cent)	General Characteristics
1	2	3
NS Grade X .	4†	Shall be wholly derived from the spikes of <i>Piper nigrum</i> , grown in South India. Different qualities of pepper can be mixed in different proportions in accordance with orders from buyers.

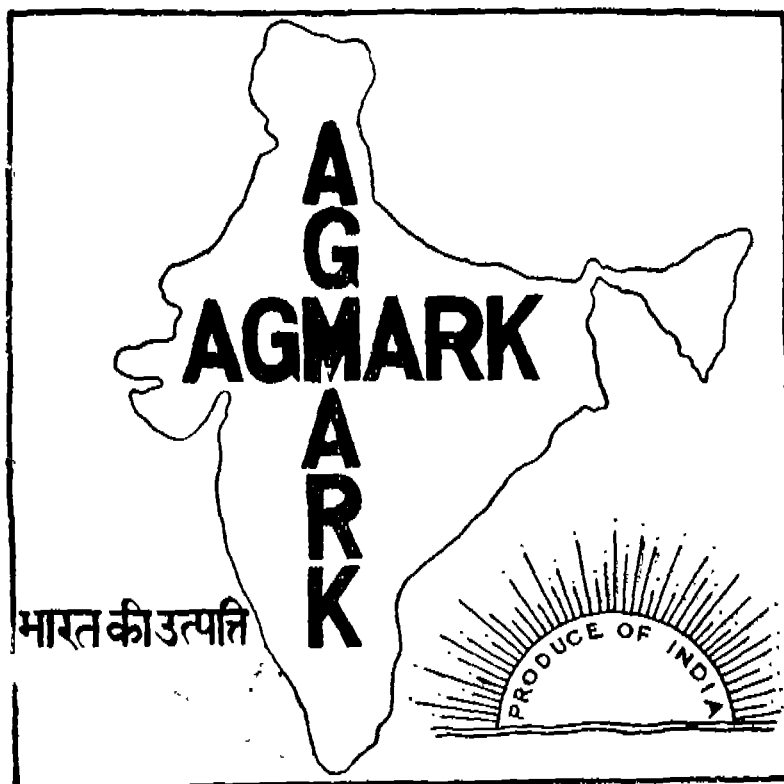
*These comprise dust, chaff, pickings and other foreign matter. Pinheads will be regarded as extraneous matter.

†Extraneous matter determined on analysis of any sample shall be specified in the Certificate of Grading when so desired.

SCHEDULE VI

(See rule 5)

MAP OF INDIA



SCHEDULE VII

(See rule 8)

Conditions of certificate of authorisation

1. An authorised packer shall make such arrangements for testing paper as may be prescribed, and samples thereof shall be forwarded to such control laboratory as may be notified from time to time by the Agricultural Marketing Adviser to the Government of India.

2. An authorised packer shall provide such facilities to Inspecting Officers duly authorised by the Agricultural Marketing Adviser to the Government of India, for the sampling, testing and affixation of grade designation marks as may be specified from time to time by the Agricultural Marketing Adviser to the Government of India.

3. All instructions regarding the methods of sampling, analysis, packing, etc. which may be issued by the Agricultural Marketing Adviser to the Government of India, shall be strictly observed.

[No. F. 20-1/59-AM.]

V. S. NIGAM, Under Secy.

(Department of Agriculture)

(Indian Council of Agricultural Research)

New Delhi, the 11th July 1961

S.O. 1695.—Under Section 4(viii) of the Indian Cotton Cess Act, 1923 (14 of 1923) the Central Government are pleased to appoint Shri G. Purushothama Naidu, Ponnuram Road, R. S. Puram, Coimbatore, as member of the Indian Central Cotton Committee to represent the cotton growing industry in the Madras State for a period of three years with effect from the 1st April, 1961.

[No. 1(4)/61-Com.IV.]

New Delhi, the 14th July 1961

S.O. 1696.—In pursuance of Sub-Section (f) of Section 4 of the Indian Oilseeds Committee Act, 1946 (9 of 1946), the Central Government hereby appoint Shri Ramchandra Prasad Singh of village and Post Office Prataptand, Distt. Muzaffarpur as a member of the Indian Central Oilseeds Committee to represent the oilseeds growers of Bihar, for a period of three years with effect from 1st April, 1961.

[No. 8-35/61-Com.II.]

SANTOKH SINGH, Under Secy.

MINISTRY OF HEALTH

New Delhi, the 10th July 1961

S.O. 1697.—In exercise of the powers conferred by sub-section (1) of section 14 of the Indian Medical Council Act, 1956 (102 of 1956), the Central Government, after consultation with the Medical Council of India, hereby directs that the Medical qualification M.D. (Berlin) shall be a recognised medical qualification for the purposes of this Act.

[No. F. 16-20/60-MI.]

New Delhi, the 11th July 1961

S.O. 1698.—In exercise of the powers conferred by sub-section (2) of section 11 of the Indian Medical Council Act, 1956 (102 of 1956), the Central Government, after consulting the Medical Council of India, hereby makes the following further amendments in the First Schedule to the said Act, namely:—

In the said Schedule—

(1) in the entries relating to the University of Agra, after the entry "Diploma in Child Health D.C.H., Agra", the following entry shall be inserted, namely:—

"Diploma in Medical Radiology & Electrology D.M.R.E., Agra"

- (2) in the entries relating to the University of Bihar, after the entry "Master of Surgery (Surgery) M.S. (Surgery), Bihar", the following entries shall be inserted, namely:—
 "Master of Surgery (Midwifery & Gynaecology) M.S. Mid. & Gyn., Bihar.
 Doctor of Medicine (Midwifery & Gynaecology) M.D. (Mid. & Gyn., Bihar.)"
- (3) in the entries relating to the University of Poona, after the entry "Doctor of Medicine (Midwifery) M.D. (Mid.), Poona" the following entries shall be inserted, namely:—
 "Doctor of Medicine (Medicine) M.D. (Medicine), Poona.
 Doctor of Medicine (Pathology) M.D. (Pathology), Poona.
 Doctor of Medicine (Pharmacology) M.D. (Pharm.), Poona.
 Master of Surgery (Surgery) M.S. (Surgery), Poona."
- (4) in the entries relating to the University of Rajputana, after the entry "Master of Science in Medical Anatomy M.Sc. (Medical Anatomy), Rajputana", the following entry shall be inserted, namely:—
 "Master of Surgery (Ophthalmology) M.S. (Ophth.), Rajputana."
- (5) in the entries relating to the University of Rajasthan, after the entry "Master of Science in Medical Anatomy M.Sc. (Medical Anatomy), Rajasthan", the following entry shall be inserted, namely:—
 "Master of Surgery (Ophthalmology) M.S. (Ophth.), Rajasthan
 This qualification shall be a recognised medical qualification only when granted on or after the 1st July, 1957.
- (6) in the entries relating to the University of Vikram, after the entry "Diploma in Medical Radiology & Electrolgy D.M.R.E., Vikram", the following entry shall be inserted, namely:—
 "Diploma in Ophthalmic Medicine & Surgery D.O.M.S., Vikram."

[No. F. 17-14/61-M.1.]

New Delhi, the 14th July 1961

S.O. 1699.—In exercise of the powers conferred by section 32 of the Indian Medical Council Act, 1956 (102 of 1956), the Central Government hereby makes the following rules, namely:—

1. Short title.—These rules may be called the Indian Medical Council (Post-graduate Medical Education Committee) Rules, 1961.

2. Definitions.—In these rules, unless the context otherwise requires,—

- (a) "Committee" means the Post-graduate Medical Education Committee constituted under section 20 of the Indian Medical Council Act, 1956 (102 of 1956);
- (b) "Council" means the Medical Council of India;
- (c) "member" means a member of the Committee.

3. Term of office of members.—A member shall hold office for a term of five years from the date of his nomination or election on the Committee or for so long as he continues to be a member of the Council, whichever is shorter.

4. Resignation of members and filling of casual vacancies.—(1) A member may at any time resign his office by a letter addressed to the President of the Council. When a vacancy on the Committee occurs the President of the Council shall forthwith report the fact of such vacancy to the Central Government

(2) A casual vacancy in the Committee shall be filled by nomination or election, as the case may be, and the person nominated or elected to fill the vacancy shall hold office only for the remainder of the term for which the member whose place he takes was nominated or elected.

(3) Members shall be eligible for re-nomination or re-election.

5. **Chairman.**—The Committee shall elect from amongst the members a Chairman who shall preside over meetings of the Committee. In the absence of the Chairman, a member elected by the members present from amongst themselves shall preside over the meeting.

6. **Meetings of the Committee.**—The meetings of the Committee shall ordinarily be held at New Delhi on such dates as may be fixed by the President of the Council. The Secretary of the Council shall issue with the notice of the meeting a complete agenda showing the business to be brought before the meeting.

7 **Minutes**—(1) The Secretary of the Council shall keep a record of the minutes of the meeting of the Committee.

(2) The Council shall forward to the Central Government a copy of the minutes of each meeting of the Committee together with its comments.

[No. F. 30-1/60-M.1.]

S.O. 1700.—In pursuance of sub-sections (1), (2) and (3) of section 20 of the Indian Medical Council Act, 1956 (102 of 1956), the Central Government hereby constitutes with effect from the 15th July, 1961, from among the members of the Medical Council of India, the post-graduate Medical Education Committee consisting of the following members, namely:—

Elected by the Medical Council of India

1. Dr. Bidhan Chandra Roy, B.A., M.D., F.R.C.S., MRCP, DSc, Chief Minister, Government of West Bengal & Member of the Faculty of Medicine, Calcutta University, Calcutta.

2. Dr. C. S. Patel, F.R.C.S. (Eng.), President, Medical Council of India, Back-Bay View, 3, New Queen's Road, Bombay-4.

3. Dr. P. N. Wahi, M.D., M.R.C.P., Professor of Pathology and Principal, S.N. Medical College, Agra.

Nominated by the Central Government

1. Dr. Jivraj N. Mehta, LM&S., FCPS(Bom), MD, MRCP (London), Fellow, M.S. University Senate, and Chief Minister, Government of Gujarat, Ahmedabad.

1. Dr. Santokh Singh Anand, F.R.C.S., Principal, Medical College, Amritsar.

3 Dr. R. V. Sathe, MBBS, MD, MRCP, Nagindas Mansion, Opera House, Tram Terminus Girgaum, Bombay-4.

4. Dr. K. N. Rao, MD, DGO, FCCP, FICS, Director of Medical Services, Andhra Pradesh.

5. Col. B. L. Taneja, MRCP (Lond.), DTM&H (Lond.), Principal, Maulana Azad Medical College, New Delhi and Member, Faculty of Medical Sciences, University of Delhi.

6. Dr. A. V. Baliga, F.R.C.S., Chairman, Society of Rehabilitation of Crippled Children, Haji Ali Park, Clerk Road, Maha Laxmi, Bombay.

[No. F. 30-1/60-M.1.]

ORDER

New Delhi, the 10th July 1961

S.O. 1701.—With reference to the notification of the Government of India, Ministry of Health No. 16-20/60-MI, dated the 10th July, 1961, according recognition to the Medical qualification M.D. (Berlin) for the purposes of the Indian Medical Council Act, 1956 (102 of 1956), the Central Government, in exercise of the powers conferred by the proviso to sub-section (1) of section 14, directs that the medical practice by Dr. G. S. Gramsch, possessing the said qualification, shall be limited to the institution of 'Salvation Army MacRobert Hospital, Dhariwal, Punjab', for a period of two years with effect from the date of this order or so long as Dr. Gramsch continues to work in the said institution for purposes of teaching, research or charitable work, whichever is shorter.

[No. F. 16-20/60-MI.]

A. C. RAY, Under Secy.

New Delhi, the 12th July 1961

S.O. 1702.—It is hereby notified for general information that in pursuance of the provisions of section 14 and sub-section (1) of section 15 of the Indian Nursing Council Act, 1947 (48 of 1947), the Indian Nursing Council has by a resolution passed at its meeting held on the 4th November, 1960 declared that the following qualification shall no longer be recognised qualification for the purposes of the said Act, namely:—

“Diploma in Psychiatric Nursing granted by the Indian Psychiatric Society”.

[No. F. 27-11/61-MIL.]

S.O. 1703.—In pursuance of sub-section (2) of section 15 of the Indian Nursing Council Act, 1947, the Central Government hereby makes the following amendment in the Schedule to the said Act, namely:—

In Part II of the said Schedule, entries at serial no. 5 shall be omitted.

[No. F. 27-11/61-MIL.]

R. MURTHI, Under Secy.

MINISTRY OF TRANSPORT AND COMMUNICATIONS

(Department of Communications and Civil Aviation)

(P. & T. Board)

New Delhi, the 12th July 1961

S.O. 1704.—In exercise of the powers conferred by Section 37 of the Indian Post Office Act, 1898 (6 of 1898), the Central Government hereby makes the following rules further to amend the Indian Post Office Rules, 1933, namely:—

1. These Rules may be called the Indian Post Office (Fifth Amendment) Rules, 1961.

2. In Clause (a) of sub-rule (2) of rule 208 of the Indian Post Office Rules, 1933, for the words “three months”, the word “two months” shall be substituted.

[No. 45/1/60-CI.]

K. RAMAMURTI,
Director Postal Technical.

(Department of Communications and Civil Aviation)

(P. & T. Board)

New Delhi, the 18th July 1961

S.O. 1705.—In exercise of the powers conferred by Section 10 of the Indian Post Office Act, 1898 (6 of 1898), the Central Government hereby makes, with effect on and from the 1st August, 1961, the following rules further to amend the Indian Post Office Rules, 1933, namely:—

1. These rules may be called the Indian Post Office (Sixth Amendment) Rules, 1961.

2. In rule 5 of the Indian Post Office Rules, 1933, in the heading “Express delivery unregistered letters, postcards and book packets” and in the entry thereunder, after the words “unregistered letter”, the words “Aerogrammes” shall be inserted.

S. M. GHOSH, Director (Mails).

MINISTRY OF SCIENTIFIC RESEARCH AND CULTURAL AFFAIRS

ARCHAEOLOGY.

CORRIGENDUM.

New Delhi, the 17th July 1961

S.O. 1706.—In the schedule to the notification published as S.O. No. 820, in Part II Section 3 sub-section (ii) of the Gazette of India dated 2nd April, 1960, following corrections are notified:—

- (1) Under column 5 of serial No. 68, for the words and figures—"Mosque No. 345, locally known as khidki Masjid", read "Ikhidki Masjid".
- (2) under column 4 of serial No. 79, for the word "Aina-pur", read Fatte pur".
- (3) under column 5 of serial No. 88, for the words, "Tomb No. 306", read "Tomb opposite Shah Navaz Khan's Tomb No. 306".
- (4) under column 5 of serial No. 90, for words "Parkhanis Masjid", read "Parkhan's Masjid".
- (5) under column 4 of serial No. 93, for the words "Bijapur", read "Khatijapur".

[No. F. 4-15/61-C. 1.]

T. S. KRISHNAMURTI, Dy. Secy.

MINISTRY OF WORKS, HOUSING & SUPPLY

New Delhi, the 12th July 1961

S.O. 1707.—In exercise of the powers conferred by section 3 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1958 (32 of 1958), the Central Government hereby appoints the officers mentioned in column 1 of the table below, being gazetted officers of Government, to be estate officers for the purposes of the said Act who shall exercise the powers conferred, and perform the duties imposed, on estate officers by or under the said Act within the local limits of their respective jurisdiction in respect of the public premises specified in the corresponding entries in column 2 of the said table.

THE TABLE

Designation of officers 1	Categories of public premises and local limits of jurisdiction 2
1. Shri Thakar Dass, P. C. S., Assistant Commissioner, Municipal Corporation of Delhi	Premises under the administrative control of the Central Public Works Department and the Land and Development Officer situated at Delhi and New Delhi.
2. Shri H. D. Sharma, P. C. S., Assistant Commissioner, Municipal Corporation of Delhi	

[No. 14/3/60-Acc.]

R. C. MEHRA, Under Secy.

MINISTRY OF IRRIGATION & POWER

ORDER

New Delhi, the 12th July 1961

S.O. 1708.—In exercise of the powers conferred by sub-rule (2) of Rule 133 of the Indian Electricity Rules, 1958, the Central Government hereby directs that the provisions of—

- (i) Rule 118(a),
- (ii) Rule 119(1)(a),
- (iii) Rule 50(1)(d), and
- (iv) Rule 123(7)

of the said Rules shall be relaxed in respect of the use of the following apparatus in conjunction with Model 4161, 3.3 K.V., Marion Shovel, serial No. 22176:

One 300 H.P. 3300 volts, Westinghouse M.G. set motor, serial No. 16B (22), with one 5000 volts, 400 amps, type F-11-S 3 pole, 1 throw, sl. No. 78-H-720.

A bank of 3 single phase 3300/240 volts, delta-star connected transformers comprising—

- (a) One single phase 3300/240 volts, 10 K.V.A., Westinghouse transformer, serial No. 60B15771.
- (b) One single phase 3300/240 volts, 10 K.V.A., Westinghouse transformer, serial No. 60B15772.
- (c) One single phase 3300/240 volts, 10 K.V.A., Westinghouse transformer, serial No. 60B15773.

One length of 1000 feet of flexible trailing cable as per specification No. CS 1455, four conductor type Okonax Shield Okoprene cable 5000 volts grade overall dia. 1.710" to 1.750" 6/64 wall Okoprene sheath, 1 Braid 0.0126 Galvanised steel wire 85% coverage 5/64" wall Okoprene inner Jacket layer 0.49" 3 conductors cabled each with layer rubber filled, colour tape, one green cotton braided ground wire; with rubber needle fillers conductor size—6 flexible $7 \times 19 \times 0.014$ tinned wires with one 200 amps, 5000 volts, 3 pole Westinghouse isolator, serial No. S-0567.

One 400 amps, 3300 volts, 75 MVA, C.T. 150/5, Long & Crawford circuit-breaker. (Field Switch).

at Kathara Open Cast Mine of Messrs National Coal Development Corporation Ltd., to the extent that (1) in relaxation of Rule 118(a), the portable motor of the shovel may be used at 3.3 K.V., (2) in relaxation of Rule 119(1)(a), the bank of three single phase, 10 K.V.A. 3300/240 volts transformers, connected in delta/star with their associated equipment using energy at high voltage may not be fixed apparatus as, being installed on the portable shovel moving from place to place, the same have a portable sense, (3) in relaxation of Rule 50(1)(d) there being no linked switches for control of 3.3 K.V. supply to the transformers installed on the shovel, the 3.3 K.V. supply to same may be controlled by the individually operated link-fuse as provided by the manufacturers, (4) in relaxation of Rule 123(7), flexible cable not exceeding 1,000 feet in length may be used with the portable machine, and that the relaxation shall be subject to the following conditions:

- (1) The installations and wirings inside the shovel shall comply with the relevant provisions of the Indian Electricity Rules, 1956, in particular rules 115-117, 121, 124 and 125.
- (2) The 3.3 K.V. supply to the flexible cable should be provided with earth-leakage protection.
- (3) The flexible trailing cable should be connected to the electricity supply system and the machine by properly constructed connector boxes or totally enclosed safe attachment.
- (4) The excavating machine along with the flexible trailing cable shall be worked and handled with due care so as to avert danger arising out of any electrical defect or in the use and the insulation resistance of the high voltage circuit, including the driving motor, shall at no time be less than 10 megohms.
- (5) The operators of the shovel shall be trained and authorised for operating the shovel with competency and due care to avoid danger.
- (6) The particulars of the protection for the 300 H.P., 3300 volts, M.G. set motor shall be furnished by the Electrical Inspector of Mines when application for approval to bring the shovel into use is made to him.

Provided that the aforesaid relaxation shall be valid for such time as the said machine is in use in the mine and due information shall be given to the Central Government through the Electrical Inspector of Mines as soon as the machine is taken out of the mine.

[No. EL.II-5(3)/61.]

N. S. VASANT
Officer on Special Duty.

MINISTRY OF REHABILITATION**(Office of the Chief Settlement Commissioner)***New Delhi, the 12th July 1961*

S.O. 1709.—In exercise of the powers conferred by Sub-Section (i) of Section 6 of the Administration of Evacuee Property Act, 1950 (XXXI of 1950) the Central Government hereby appoints for the States of Maharashtra, Gujarat, Andhra Pradesh, Mysore, Kerala and Madras Shri M. N. Mathur, Managing Officer in the office of the Regional Settlement Commissioner, Bombay, as Deputy Custodian of Evacuee Property for the purpose of discharging the duties assigned to the Custodian by or under the said Act with effect from the date he took over charge of his office.

[No. 12(13)Admn(Prop)/59/ARG.]

H. S. NAIR, Under Secy.

MINISTRY OF LABOUR & EMPLOYMENT*New Delhi, the 11th July 1961*

S.O. 1710.—Whereas, in the opinion of the Central Government:—

- (1) the rules of the Provident Fund of the Deccan Sugar and Abkhari Co. Ltd., Samalkot; East Godavari District hereinafter referred to as the said establishment), with respect to the rates of contribution are not less favourable to the employees therein than those specified in section 6 of the Employees' Provident Funds Act, 1952, (19 of 1952); and
- (2) the employees in the said establishment are also in enjoyment of other provident fund benefits which on the whole are not less favourable to the employees than the benefits provided under the Employees' Provident Funds Act, 1952, or the Employees' Provident Funds Scheme, 1952, (hereinafter referred to as the said scheme), in relation to the employees in any other establishment of a similar character;

Now, therefore, in exercise of the powers conferred by clause (a) of sub-section (1) of section 17 of the Employees' Provident Funds Act, 1952, (19 of 1952), the Central Government hereby exempts the said establishment, with effect from the 1st August, 1956, from the operation of all the provisions of the said Scheme, subject to the conditions specified in Schedule I hereto annexed which shall be in addition to the conditions mentioned in the explanation to Sub-section (1) of the said section.

SCHEDULE I

1. Every establishment shall have a provident fund scheme in force the rules of which with respect to the rates of contribution shall not be less favourable than those specified in section 6 of the Act and the employees shall also be in enjoyment of other provident fund benefits which on the whole shall not be less favourable to the employees than the benefits provided under the Act or any Scheme in relation to the employees in any other establishment of a similar character and these rules shall be followed in all respects.

2. The employer in relation to each establishment (hereinafter referred to as the 'employer') shall within three months of the date of publication of this notification, amend the constitution of the Provident Fund maintained in respect of factory in regard to the following matters, namely:—

- (a) the Provident Fund shall vest in a Board of Trustees and there shall be a valid instrument in writing, which adequately safeguards the interests of the employees and such instrument shall be duly registered under section 5 of the Indian Trusts Act, 1882;
- (b) the Board of Trustees shall consist of an equal number of representatives of the employees and the employer and all questions before the Board shall be decided by a majority of votes;

- (c) the employer shall nominate one of his representatives on the Board as the Chairman who may exercise a casting vote if so provided under the rules of the factory. Where a casting vote is exercised or where no casting vote is exercised but the opinion of the representatives is equally divided, the matter shall be referred to the Regional Provident Fund Commissioner or the State Provident Fund Commissioner appointed under the said Scheme (hereinafter referred to as the Regional/State Commissioner) within whose jurisdiction the establishment to which the matter relates is situated and whose decision in the matter shall be final.

3. The Provident Fund rules of any establishment shall not be amended except with the previous approval of the Regional/State Commissioner. Where any amendment affects the interests of the employees, before giving his approval, the Regional/State Commissioner shall give a reasonable opportunity to the employees to explain their point of view.

4. (a) The employer shall maintain accounts of the Provident Fund in such manner and submit such returns to the Regional/State Commissioner as the Central Government may, from time to time, direct.

(b) The employer shall furnish to the Regional/State Commissioner such accounts relating to the Provident Fund of the establishment as the Central Provident Fund Commissioner may prescribe from time to time. He shall also furnish an annual statement of account or a Pass Book, in such form as may be approved to each subscriber who, but for the exemption, would have been a member of the Fund established under the Employees Provident Funds Scheme, 1952.

(c) The employer shall make all investment of accumulations accruing after the date of exemption in securities of the Central Government. The reinvestment or conversion of securities on maturity shall also be in the securities of the Central Government. The employer shall formulate a procedure for prompt investment of provident fund moneys and shall get it approved from the concerned Regional/State Commissioner.

5. The employer shall afford such facilities for inspection of the accounts of the Provident Fund as the Central Provident Fund Commissioner may from time to time specify.

6. All expenses involved in the administration of the Provident Fund Scheme including the maintenance of accounts, submission of accounts and returns, transfer of accumulations and payment of inspection charges shall be borne by the employer.

7. The employer shall display on the notice board of his factory, in English, a copy of the approved rules and the translation of salient points of the rules in the language of the majority of the workers, respectively.

8. The employer shall within 3 months of the date of publication of this notification transfer to the Board of Trustees the accumulations standing to the credit of the employees who but for the exemption would have been members of the Statutory Fund.

9. When the Fund is wound up or exemption of the establishment is cancelled, accumulations standing to the credit of the employees who, but for the exemption, would have been members of the Statutory Fund shall be transferred to that Fund as soon as possible and, in any case, not later than 30 days in the case of securities and not later than 10 days in the case of cash in hand or bank together with a statement or statements as may be required by the Regional/State Commissioner or Commissioners concerned.

10. The employer shall accept the past provident fund accumulations of an employee who is already a member of the Employees' Provident Fund or an exempted fund and who obtains employment in his establishment such an employee shall immediately be admitted as a member of the establishment Provident Fund. His accumulations which shall be transferred within 3 months of his joining the establishment shall be credited to his account.

11. The employer shall provide for nomination in his provident fund rules in accordance with the provisions contained in paragraph 61 of the Employees' Provident Funds Scheme, 1952.

12. The amount of contributions shall be calculated to the nearest quarter of a rupee, that is, 12 5 naye paise or more shall be counted as the next higher quarter of a rupee and fractions of a rupee less than 12 5 naye paise shall be ignored. The amounts of inspection charges and damages shall be calculated to the nearest 5 naye paise that is, 2 5 naye paise or more shall be counted as 5 naye paise and any amount less than 2 5 naye paise shall be ignored.

13. On all repayable loans granted by establishment interest shall be charged at the rate of $4\frac{1}{2}$ per cent above the rate allowed on the balance to the credit of the members whichever is higher.

14. The employer shall pay to the Regional/State Commissioner inspection charges payable, falling which damages shall be paid at a rate fixed by the Central Government from time to time.

15. The Central Government reserve the right to impose such further conditions as may be deemed necessary in the interests of the employees in the establishment.

16. Exemption granted by this notification is liable to be withdrawn by the Central Government for breach of any of the aforesaid conditions or for any other sufficient cause which may be considered appropriate.

[No. 9(17)/61-PF. II.]

New Delhi, the 17th July 1961

S.O. 1711.—In exercise of the powers conferred by sub-section (1) of section 13 of the Employees' Provident Funds Act, 1952 (19 of 1952), the Central Government hereby appoints Shri L. S. Titus, I.A.S. to be an Inspector for the whole of the Union territory of Delhi for the purposes of the said Act and of any scheme framed thereunder, in relation to an establishment belonging to, or under the control of the Central Government, or in relation to an establishment connected with a railway company, a major port, a mine or an oil-field or a controlled industry, *vice* L. I. Parija.

[No. 17(12)61-PF-I.]

S.O. 1712.—In pursuance of the provisions of paragraph 20 of the Employees' Provident Funds Scheme, 1952, the Central Government hereby appoints Shri L. S. Titus as Regional Provident Fund Commissioner for the whole of the Union territory of Delhi, *vice* Shri L. I. Parija. Shri Titus shall work under the general control and superintendence of the Central Provident Fund Commissioner.

[No. 17(12)61-PF.I.]

New Delhi, the 18th July 1961

S.O. 1713.—In exercise of the powers conferred by sub-section (1) of section 10 of the Coal Mines Provident Fund and Bonus Schemes Act, 1948 (40 of 1948), the Central Government hereby appoints Shri V. Sinha, Labour Inspector (Central), Implementation Dhanbad, to be an Inspector for the purposes of the Coal Mines Bonus Scheme, 1948, and directs that he shall, in relation to coal mines, exercise the powers and perform the functions of an Inspector under the said Act in the States of Bihar, Orissa and West Bengal.

[No. 1(19)/61-P.F.I.]

P. D. GAIHA, Under Secy.

New Delhi, the 13th July 1961

S.O. 1714.—In pursuance of section 17 of the Industrial Disputes Act, 1947, (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Bombay, in the industrial dispute between the employers in relation to the Hutti Gold Mines Company Limited, Hutti Post Office, Raichur, Deccan and their workmen.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, BOMBAY

REFERENCE No. CGIT-30 OF 1960

Employers in relation to the Hutti Gold Mines Co., Ltd., Hutti P. O.

AND

their workmen.

PRESENT:

Shri Salim M. Merchant, Presiding Officer.

APPEARANCES:

For the employers.—Mr. L. C. Curtis, Superintendent and Shri A.T.S. Rao, Personnel Officer, for the Company.

For the workmen.—Shri M. C. Narasimhan, Secretary, Karnatak Provincial Trade Union Congress, Shri K. S. Vasan and Shri P. Narayanan, President, and Secretary respectively of the Hyderabad Gold Mines Labour Union.

Shri H. Saifulla Khan, General Secretary, Hutti Gold Mines Kamgar Sangh, Shri M. Bunsilal, Working Committee Member, Kamgar Sangh and Shri L. K. Shroff, President, Faruk Anwar Oil Mills Workers' Union and Adviser to the Kamgar Sangh.

STATE: Mysore.

INDUSTRY: Gold Mining.

Bombay, the 7th July 1961.

AWARD

The Government of India, Ministry of Labour and Employment by Order No. 23/25/60-LRII, dated 17th September, 1960, made in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, was pleased to refer the industrial dispute between the parties above-named in respect of the following matters specified in the schedule to the said order, to me for adjudication:—

SCHEDULE

1. "Whether the workmen of the Hutti Gold Mines Co., Ltd., Hutti P. O. Raichur, Decan are entitled:—

- (a) revision of wages;
- (b) grant of bonus;
- (c) grant of gratuity;
- (d) increase in number of full holidays with pay from 5 to 7; and
- (e) revision of dearness allowance, with effect from 10th December, 1959.

2. Whether the undermentioned employees dismissed by the management of the Hutti Gold Mines should be reinstated in service?

- 1. Sri Mahadeven, T. No. 457.
- 2. Sri Kannan, T. No. 435.
- 3. Sri Chinnaraj, T. No. 232.
- 4. Sri Ponnurangan, T. No. 607.
- 5. Sri Selvan, T. No. 603.
- 6. Sri Varadaraj, T. No. 686.
- 7. Sri Arumugham, T. No. 284.
- 8. Sri Syed Patha, T. No. 555.
- 9. Sri Parumal, T. No. 73.
- 10. Sri Mallappa, T. No. 327.
- 11. Sri Santhesam, T. No. 433."

2. After the parties had filed their written statements, the dispute was heard firstly at Hyderabad and thereafter at Raichur, from where, accompanied by the

representatives of the parties, I visited Hutti and inspected the mines. Thereafter, upon a joint request of the parties, the dispute was heard at Bangalore, where the hearing concluded on 9th June, 1961. I am glad to state that after protracted discussions on the subject matters under reference, the parties on 9th June, 1961, filed terms of settlement on all the demands, except on demand No. 2 which is for the reinstatement of 11 dismissed workmen, and prayed that an award be made in terms of the settlement. A copy of the joint application of the parties recording the terms of settlement is annexed hereto and marked Annexure No. I. As I am satisfied that the terms of settlement are fair and reasonable, I make an award in terms of the settlement reached between the parties, as incorporated in their joint application dated 9th June, 1961, which shall form part of this award.

3. The only demand which survives to be considered is demand No. 2 which is for reinstatement of the 11 dismissed workmen named therein. I may state that the reinstatement in service of these eleven dismissed workmen is pressed only by the Hyderabad Gold Mines Labour Union and was opposed by the Hutti Gold Mines Kamgar Sangh.

4. The facts leading to the dismissal of these 11 workmen are that on 17th December, 1957, a group of workmen of this mine indulged in rioting and disorderly behaviour on the company's property over a demand for X'mas advance. The management's case is that about 4-30 P.M. on that day these 11 workmen had obstructed the Superintendent of the mines Mr. L. C. Curtis, when he was leaving the mines office and prevented him from going out of his office till their demand was conceded. In respect of this incident 12 workmen, including these 11 workmen, were charged by the Police with the offence under section 341 of the Indian Penal Code of wrongfully restraining the Superintendent of the Colliery on 17th December, 1957, and were found guilty of the charge and were convicted by the Munsiff Magistrate, Lingsoogur on 7th July, 1958, and sentenced to pay a fine of Rs. 40, each. Upon their conviction charge sheet dated 16th July, 1958, was issued on each of these 11 workmen. The charge sheet was in following terms:

"Riotous and disorderly behaviour on the Company's property on 17th December, 1957, at 4-30, P.M. Thereby you committed an act subversive of discipline in that you deliberately caused obstruction to the Superintendent."

The charge sheet stated that this amounted to contravention of standing order 22(j) of the certified standing orders of the Company which is as follows:—

"Drunkenness, riotous or disorderly behaviour on the Company's property or any act subversive of discipline or efficiency."

It may be stated that the Company's standing orders prescribes the punishment of dismissal without notice for this misconduct. An enquiry was held on the chargesheets by Shri M. Nag-sa Rao, Chief Underground Agent or Engineer, under whom these workmen were working, at which he appears to have asked each workman whether it was true that he had been convicted by the Munsiff Magistrate, Lingsoogur, for riotous and disorderly behaviour on 17-12-1957 at 4-30 P.M. and for obstructing the Superintendent from proceeding to his bungalow from the office to which each of the dismissed workmen replied that he had been convicted and fined Rs. 40, but that an appeal was being filed. Upon this, Shri Nagesa Rao held that as the dismissed workmen had been convicted in a criminal Court as admitted by them, they were guilty of misconduct under standing order 22(j), and he therefore recommended their dismissal. Thereafter, between the 24th July 1958 to 9th August 1958, Mr. L. C. Curtis, the Superintendent of the mines, after a further enquiry at which he examined each of these workmen, also held that each of them had been guilty of the misconduct with which he was charged and thereafter passed orders for their dismissal from service. The records of the enquiries held by Shri Nagesh Rao and Mr. Curtis have been filed at the hearing before me.

5. To complete the chronological sequence of events, from the order of conviction by the Munsiff Magistrate, Lingsoogur, the workmen filed revision petitions to the District and Sessions Court, Raichur, which by an order dated 31-10-1958, rejected their petition. Against that order, the workmen filed a criminal revision petition before the High Court of Mysore at Bangalore, which was dismissed by an order dated 22-1-1961 and the conviction of the workmen by the Munsiff Court was upheld. The High Court of Mysore, however, reduced the fine of Rs. 40 inflicted by the Munsiff Magistrate, Lingsoogur, to Rs. 10. In reducing the amount

of the fine the High Court referred to the fact that it was pleaded before it that the workmen had been dismissed from service for participating in the incident, which had led to their prosecution.

6 In its written statement on this demand the only point urged by the union in support of the demand for reinstatement of these dismissed workmen is that the action of the management was wrongful; that a perusal of the charge-sheets, order sheets etc relating to the enquiries conducted in these cases would reveal that the action taken by the management was improper and irregular and that the dismissed workmen had not been guilty of any misconduct to deserve punishment by dismissal. At the hearing, Shri Narasimhan has argued (1) that the enquiries held on the charge-sheets were not proper and had not conformed to rules of natural justice, and (2) that the dismissal of the workmen was based on their conviction in the criminal courts and as such was not justified. He has in support of his contention sought to rely upon the following cases—

- (1) Mahammad Khaja and v. Road Transport Department (1956 I LLJ p. 430).
- (2) Mettur Industries Ltd., and Varma (A.R.) and others, Hyderabad, Decan. (1958 II LLJ p. 326).
- (3) Bharat Starch and Chemicals Ltd., (1958 II LLJ p. 243).

But in my opinion none of these cases have any bearing on the facts and circumstances of this case.

7. In the first case, the workman had been convicted for rash and negligent driving by a criminal court. The relevant departmental rules of the Road Transport Department provided for the service of a charge-sheet and an enquiry for misconduct after considering the explanation. The departmental rules, however, provided that if the dismissal was based on facts and conclusions arrived at in a judicial enquiry, the enquiry might be waived. It appears that in that case the management had not only not held any enquiry, but had also not served any charge sheet or considered the explanation of the workman before his dismissal. The learned Member of the Labour Appellate Tribunal who heard the case (Shri K. C. Gupta) held that the dismissal of the workman without serving a charge sheet and considering his explanation was irregular. But in the present case, after their conviction by the criminal Court not only were they served with charge sheets, and their explanation called for, but they were given 2 opportunities at enquiries held by Shri Nagesh Rao and Mr. L. C. Curtis to offer their explanation and defence.

8. The second case, of the Mettur Industries Ltd., relied upon by Shri Narasimhan is a judgement of the Madras High Court (Shri Balkrishna Ayyar J). In that case the workman (A. R. Varma) was dismissed from service for the misconduct of having been found asleep on 3 occasions in one night whilst on duty. There was an industrial dispute then pending before the Labour Court and the management appears to have applied to it under section 33(2) of the Industrial Disputes Act 1947 for approval of its action in dismissing the workman and the workman also filed a complaint to the Labour Court under section 33A of the same Act alleging that his employers had contravened the provisions of section 33 of the Act. The Labour Court heard both the petitions together and held that the dismissal of Varma was un-justified and directed his reinstatement in service. Against this order the employers appear to have moved the Hon'ble Supreme Court, but without success. The employers thereafter dismissed Varma on the very day he reported for duty under the directions of the Labour Court, considering a letter addressed by Varma to them of a kind which would be prejudicial to the interest of the concern. He was dismissed from service in exercise of the powers the management had under S.O. 18(a) of the Mill's certified standing orders. An industrial dispute was raised over this dismissal, which Government referred for adjudication to the Labour Court, Coimbatore which held that the dismissal had amounted to victimisation, and by its award directed Varma to be reinstated in service. Thereupon a writ petition was filed against the Award of the Labour Court, Coimbatore, in the High Court of Madras. The writ petition was heard by His Lordship Shri Balkrishna Ayyar who by his judgment allowed the petition and held that there could not be any violation of the principles of the natural justice in a case where the services of a workman were terminated according to the provisions of the standing orders and that from the facts of the case that the order of dismissal was passed on the very day Varma resumed duty as per the directions of the Labour Court or from the further fact that the management further believed that his continuance would be highly prejudicial to the concern it could be inferred that the action of the management amounted to punishment or victimisation or un-fair labour practice or prior enquiry was

necessary under the relevant standing orders. I have gone through this judgement with some care and find it difficult to hold that it in any way supports the contentions urged by Shri Narsimhan, or the facts of that case can in any way apply to the fact and circumstances of the instant case.

9. The next case relied upon by Shri Narsimhan, Bharat Starch & Chemicals vs. I. T. and another, also in my opinion does not help him, as in that case the question for determination before the Punjab High Court was whether the standing orders made and certified under the Industrial Employment (Standing Orders) Act, 1946 are binding on the workmen employed in the establishment before the framing of the Standing Orders, and it was held that from the date of their certification the Standing Orders are binding on all workmen of the company whether originally employed before or after these Standing Orders were certified.

10. The management on the other hand has relied upon the decision of a Bench of the Labour Appellate Tribunal of India in the case of the Titagur Paper Mills Ltd., vs. Paper Mills Employees' Union (X F. J. R. 1956-57 at page 482-489) where on almost identical facts and where also the Manager who had been confined had held the enquiry and awarded the punishment, it was held that where the Manager of the concern was wrongfully confined in a particular place unless he conceded the demands, it would amount to gross insubordination justifying dismissal. The management has also relied upon the Award of the Central Government Industrial Tribunal, Calcutta in the case of Barindra Nath Kolay v. Calcutta Port Commissioners (FJR XIV—Vol. 1958-59 at page 407) where it was held that the general rule that an enquiry must be held before a workman can be dismissed from service is subject to exceptions. Where the Commissioner of a Port received an adverse report about a workman from the Police Department, and dispensed with the service of the workman in the interests of the Port, it is not necessary that an enquiry should be held by the employers before taking any action against the workman, because any amount of evidence adduced at a private enquiry cannot undo a police report.

11. In this case the management deferred issuing the charge-sheets till the accused were convicted by the Magistrate's Court. The prosecution of the dismissed workmen arose out of the same incident and was in respect of the charge of having obstructed Shri L. C. Curtis, Superintendent of the mine from going out of his office to his bungalow. There is no doubt that an enquiry was held by the management on the charge-sheets issued to the workmen, firstly by Shri Nagesh Rao and another by Mr. L. C. Curtis. In some respects the enquiry held by both Shri Curtis and Shri M. Nagesa Rao are not completely satisfactory. But in the face of the fact that the workmen had been convicted by the Munsiffs Magistrate, Lingsoogur, for the same offence, in which proceedings Shri L. C. Curtis, the Superintendent of Mines had given evidence for the prosecution and the conviction was upheld by the District and Sessions Court and later by the High Court, it is difficult to see what purpose would have been served by an elaborate departmental enquiry. In the case of Burn & Co. v. their employees, it was held by the Supreme Court that in a case where the workmen had remained absent for a long period, it was not necessary to give a charge-sheet or hold an enquiry as it would not serve any useful purpose. On the same analogy, in the instant case also it is difficult to see what useful purpose would have been served by the employers holding an elaborate enquiry after these very workmen were convicted by the Criminal Court for the very same misconduct.

12. Shri Narsimhan has referred to S.O. 22(t) which states that conviction in any court of law for any Criminal offence involving moral turpitude would be treated as misconduct and he has argued that as the conviction of these 11 workmen by the Magistrate's Court was not for an offence involving moral turpitude, the fact of their conviction in the Magistrate's Court for an offence under section 341 of the Indian Penal Code did not amount to a misconduct under its standing orders, for which he could be dismissed. In my opinion there is no substance in this contention of the Union as the list of misconducts stated in S.O. 22 are not exhaustive of all misconducts for which a workman can be dismissed as the use of the word "inter alia" clearly suggests.

13. In the result, for the reasons stated above, I reject both the contentions urged by Shri Narsimha, and I am satisfied that the dismissal of these workmen from service was justified. I am satisfied that in the facts and circumstances of the case, and in view of the conviction of these workmen by the Magistrate's Court which was ultimately upheld by the High Court, the enquiry held by the management was in satisfactory compliance with the Standing Orders of the company and it cannot be said to have violated the principles of natural justice.

14. The question referred to me for adjudication is whether these workmen should be reinstated in service. I am not satisfied that a case has been made out for directing the reinstatement of these workmen. They were in my opinion guilty of a serious misconduct and their dismissal was perfectly justified.

15. The management in the order of dismissal had offered to pay each workman one month's wages in lieu of notice. I was told at the hearing that the same has not been paid and Mr. Curtis the Superintendent of the mine on behalf of the management, was prepared to pay the same to the workmen concerned and I therefore direct that the management shall pay to each of the 11 dismissed workmen one month's wages in lieu of notice.

16. My award on demand No. 2, therefore, is that these 11 workmen are not entitled to be reinstated in service.

17. The only other question remaining to be considered is as to the order for costs. There has been protracted hearing of this dispute at Hyderabad, Raichur and twice at Bangalore. There is no doubt that under the terms of settlement reached between the parties, after protracted negotiations to which this Tribunal was a party, the workmen have substantially succeeded in their demands. Considering the number of hearings and the fact that they were held away from Hutti, I think that the company should be directed to pay Rs. 250 as costs to each of the two unions on record. The costs to be paid within a week of the publication of this award in the official gazette.

18. Before I part with this reference, I should like to express my appreciation of the attitude of mutual accommodation and compromise shown by both parties in settling this heavy and long standing dispute.

(Sd.) SALIM M. MERCHANT,

Central Government Industrial Tribunal,
Bombay.

ANNEXURE No. 1

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, BOMBAY.

REFERENCE CGIT-30 OF 1960.

Employers in relation to the Hutti Gold Mines Co. Ltd.,

AND

their workmen.

May it please the Tribunal,

We, the parties to this dispute, beg to state that we have reached the following settlement on the demands forming the subject matters of this reference, except on demand No. (2) relating to the reinstatement of 11 dismissed workmen, and pray that an award be made in terms thereof:—

(a) *Revision of wages.*—It is agreed between the parties that the existing scales of wages shall be revised as stated in the annexed statement. (marked annexure "A") which shall form part of this agreement and the award to be made in this dispute. The revised scales of wages and salary shall come into force from 10-12-1959.

With regard to the adjustment of the existing wages into the revised scales of wages it is agreed that—

(a) *Revision of wages.*—It is agreed between the parties that the existing minimum of the revised scales of wages of the categories applicable to them they shall be stepped up to the minimum of the revised wage scale.

(b) If the basic wage of any workman as on 10th December, 1959, is not a stage in the new scale of wages applicable to him, the same shall be stepped up to the next higher stage in the revised scale.

(c) When the last increment of the revised scale would take the workman above the maximum amount of that grade the same shall be diminished to the amount which would bring the basic wage to the maximum of the scale.

(d) Annual increments under the revised scales shall be granted with effect from 10th December, 1959 on the date on which the employee is entitled to payment of the annual increment and the management shall be entitled to take into account the annual increments already granted to him since 10th December, 1959.

If an employee has reached the maximum of the scale applicable to him the management may in its entire discretion grant him a higher basic pay than the maximum of his scale. But it is to be clearly understood that this cannot be claimed as a matter of right by any employee.

(b) *Grant of bonus*.—Both the unions do not press the demand for bonus for the financial years ended 30th September, 1958 and 30th September, 1959. The Company further records that the workmen were not entitled to any bonus as it had suffered a loss during each of those years.

(c) *Grant of Gratuity*.—Parties are agreed that the following scheme of gratuity shall be introduced by the Management with effect from 10th December, 1959 and the same shall be applicable to all employees who were on the rolls of the Company on that date and all employees employed or to be employed thereafter:—

In the event of death whilst in the Service of the company.

Gratuity at the rate of half-a-month's basic wage or salary for each completed year of service to be paid to the nominees, heirs, legal representatives, administrators or assigns of the deceased workman.

In the event of discharge on grounds of medical unfitness duly certified by the Medical Officer of the company.

Gratuity at the rate of half-a-month's basic wage or salary for each completed year of service.

In the event of voluntary retirement because the employee is suffering from ante-primary silicosis, to be certified by the Medical Officer of the Company.

Gratuity at the rate of half-a-month's basic wage or salary for each completed year of service.

In the event of reaching the age of superannuation that is, 55 years in the case of underground workers and 60 years in the case of surface workers.

Gratuity at the rate of half-a-month's basic wage or salary for each completed year of service.

In the event of voluntary retirement or resignation after completing 15 years' continuous service in the case of a surface worker and 12 years' continuous service in the case of an underground worker.

Gratuity at the rate of half-a-month's basic wage or salary for each completed year of service.

In the event of termination of service by the employer company after completing 10 years' continuous service in the case of a surface worker and 8 years' continuous service in the case of an underground worker.

Gratuity at the rate of half-a-month's basic wage or salary for each completed year of service.

Gratuity for the daily rated workmen shall be calculated at the rate of 13 days' basic wages for each year of completed service upto 15 years' continuous service and thereafter at the rate of 15 days' basic wages for each completed year of continuous service with a maximum of 390 days.

No monthly rated workmen shall be entitled to gratuity exceeding 15 months' basic salary.

For the purpose of computing gratuity basic wage or salary shall mean basic wage or salary (excluding dearness and other allowances), paid on the date the event entitling the workman to gratuity takes place.

An employee dismissed for misconduct involving financial loss to the company shall be paid the gratuity to which he would be otherwise entitled less the amount of the financial loss caused to the company by the misconduct resulting in his dismissal.

Continuous service shall mean "Continuous Service" as defined by Section 2(eee) of the Industrial Disputes Act, 1947 (Act XIV of 1947).

The Company may in its discretion grant gratuity at a higher rate than stated above.

Superannuation Age.—Normally the superannuation age will be 55 years for underground employees and 60 years for surface employees based on the employees' age as entered in the Company's records at the time of his first appointment. All Underground employees shall automatically superannuate on reaching the age of 55 years and surface employees on reaching the age of 60 years. The Company may in its discretion continue to employ any employee beyond the normal superannuation age. The Company shall give one month's previous notice to the employee to be superannuated.

(d) *Increase in number of full holidays with pay from 5 to 7.*—The existing five holidays on full wages, namely,

- | | |
|----------------------|---------------------|
| 1. Republic Day. | 4. Christmas Day. |
| 2. Independence Day. | 5. Amreshwar Jatra. |
| 3. Dasserah. | |

will be continued.

Instead of the existing partial holidays on full wages the following partial holidays will be substituted:—

- | | |
|--------------------|----------------------|
| 1. Pongal. | 5. Gagdi Jatra. |
| 2. Mahasivaratri. | 6. Ramzan-Id. |
| 3. Holi (2nd Day). | 7. Ganesh Chaturthi. |
| 4. Ugadi. | 8. Deepavali. |

Of these Ramzan-Id will be a full holiday for all Muslim employees on half wages (basic plus dearness allowance) and Deepavali for all Hindu employees on half wages (basic plus dearness allowance).

It is further agreed that partial holidays will be so observed that all surface gangs will stop work at 1:00 P.M. and hoisting of underground men will commence at 1:00 P.M., as in the Kolar Gold Mining Undertakings.

The existing practice of granting Bakri-Id and Mohurram (Ashura) as full unpaid holidays to Muslim employees and Onam to the Malayalee employees will be continued.

The existing practice of granting the monthly paid Muslim employees full holidays with pay on (1) Ramzan-Id, (2) Bakri-Id and (3) Mohurram (Ashura) and of giving all the monthly paid employees full holiday with full pay on all the partial holidays will be continued.

(e) *Revision of Dearness Allowance.*—It is agreed that the minimum cash dearness allowance for all workmen with basic wage or salary upto Rs. 103 shall be increased to Rs. 40 per month with effect from 1st January, 1961.

Dearness allowance for all employees drawing a basic wage of Rs. 103 and above shall be as follows:—

Employees earning basic wage or salary between Rs. 103 and Rs. 171.42.	25 per cent of the basic wage or salary plus Rs. 10 subject to a minimum of Rs. 40.
Employees earning basic wage or salary between Rs. 171.42 and Rs. 428.58.	22 per cent of the basic wage or salary plus Rs. 10 subject to a minimum of Rs. 52.85.
Employees earning basic wage or salary over Rs. 428.58.	18-3/4 per cent of the basic wage or salary plus Rs. 10 subject to a minimum of Rs. 104.29 and a maximum of Rs. 170.76.

It is further agreed that the benefit of supply of foodgrains at concessional rates shall be continued as at present for all employees.

It is agreed that the dues of the workmen under this agreement shall be paid in one payment on or before the 15th August, 1961.

Parties are agreed that the terms of this agreement and the award to be made in terms thereof shall remain in force for a period of three years from 8th June, 1960.

Dated at Bangalore, the ninth day of June, One thousand nine hundred and sixtyone.

For the Employers
The Hutti Gold Mines Co. Ltd.

Sd. Illegible Sd. Illegible
Personnel Officer. Superintendent.

For the Hyderabad Gold
Mines Labour Union

Sd. Illegible
General Secretary,
Attested by

Sd. Illegible
For the Hutti Gold Mines
Kamgar Sangh.
Sd. Illegible
General Secretary.
Sd. Illegible
Member,
Working Committee,
Kamgar Sangh.

Before me.

SALIM M. MERCHANT.
Presiding Officer,
Central Government Industrial
Tribunal, Bombay.

Bangalore, 9th June 1961

ANNEXURE "A"

THE HUTTI GOLD MINES CO. LTD.

Proposed Code No.	Existing Code No.	Designation	Present Basic Wage	Agreed Basic Wage
MONTHLY PAID ESTABLISHMENT				
			Rs.	Rs.
A 1	A 1 E 1 M 1	Supervisor	257.14—428.58 A. I. 21.42	278.56—428.58 A. I. 21.42
A 1A	UG 1		257.14—428.58 A. I. 21.42	278.56—450.00 A. I. 21.42
A 2	A 1 A M 29 E 35 UG 29	Clerks Grade I	128.58—257.14 A. I. 15.00	150.00—257.14 A. I. 15.00
A 3	A 1 B M 29A E 33 UG 30 UG 28B MD 5A		77.14—123.43 A. I. 9.00	100.00—145.00 A. I. 9.00
A 4	M 24 A 1 C E 34 UG 31 UG 28 E 38 WW 1	Clerks Grade III	51.42—77.14 A. I. 5.00	65.00—95.00 A. I. 5.00
	MD 5 UG 28A	Time Keepers	64.28—5.00 9.00	77.14 65.00—95.00 92.58 A. I. 5.00
A 5	A 2	Shaft Bank Clerk		
A 6	A 2A	Cost Clerk Grade I	171.42—257.14 A. I. 20.00	178.00—258.00 A. I. 20.00
A 7	A 2B	Cost Clerk Grade II	85.72—171.42 A. I. 10.00	108.00—178.00 A. I. 10.00
		Cost Clerk Grade III	60.00—85.72 A. I. 6.00	70.00—106.00 A. I. 6.00

Proposed Code No.	Existing Code No.	Designation	Present Basic Wage	Agreed Basic Wages
			Rs.	Rs.
A 8	A 3	Senior Accounts Clerk	171·42—257·14 A.I. 20·00	178·00—278·00 A.I. 20·00
A 9	A 4	Cashier	171·42—257·14 A.I. 20·00	178·00—278·00 A.I. 20·00
A 12	A5 M26 E 37 UG32	Typist	77·14—123·43 A.I. 9·00	Existing Grade Retained
A 10	A 7 M27 E 40 UG34	Steno-typist Grade I	128·58—180·00 A.I. 15·00	Do.
A 11	A 7A M27A E40A UG34A	Steno-typist Grade II	111·42—126·86 A.I. 9·00	Do.
A 13	UG28A	Disc Clerk	51·42—77·14 A.I. 5·00	50·00—80·00 A.I. 5·00
A 14	EE E36 UG33	Tracer	55·72—92·58 A.I. 5·00 & 9·00	65·00—95·00 A.I. 5·00
A 15	E 38 UG 26	Draughtsman Grade I	128·58—257·14 A.I. 15·00	145·00—260·00 A.I. 15·00
A 16	Ea8A UG27	Draughtsman Grade II	77·14—124·42 A.I. 9·00	100·00—140·00 A.I. 5·00
A 17	M 28	Lab. Asst. Grade I.	128·58—257·14 A.I. 15·00	Existing Grade Re- tained.
A 18	M28A	Lab. Asst. Grade II.	102·86—128·58 A.I. 10·00	108·00—128·00 A.I. 10·00
A 19	M 25	Lab. Asst. Grade III	64·28—108·00 A.I. 5·00 & 9·00	65·00—108·00 65—5—80—9—108
A 20	A 6	Comptist	102·86—141·42 A.I. 9·00	100·00—145·00 A.I. 9·00 + 10·00 allowance
A 21	A 8 E 32 M 30	Office Peons	1·00—1·25 A.I. 0·12	30·00—50·00 A.I. 2·00
A 22	A 10	Guest House Caretaker	60·00 Fixed	50—2—70—2·50—75 A.I. 5·00
A 23	A 12	Guest House Butler Cum Cook	60·00 Fixed	50·00—70·00 A.I. 2·00
A 24	A 11	Canteen Cook Grade I	51·42—68·58 A.I. 5·00	50·00—75·00 A.I. 5·00
A 25	A11A	Canteen Cook Grade II	34·28—47·14 A.I. 5·00	35·00—50·00 A.I. 5·00
A 26	WW2	Watch & Ward Jamadar	120·00—180·00 A I 10·00	Existing Grade Re- tained.
A 27	MD 1	Compounder Grade I	55·72—115·72 A.I. 5·00 & 9·00	65—5—80—9—143
A 28	MD 2	Ward Boys Grade I	38·58—64·28 A.I. 5·00	40·00—70·00 A.I. 5·00
A 29	MD2A	Ward Boys Grade II	25—72—38·58 A.I. 3·00	30·00—39·00 A.I. 3·00
A 30	MD 3	Dresser	42·86—68·58 A.I. 5·00	60·00—80·00 A.I. 5·00
A 31	MD 4	Nurse unqualified	38·58—64·28 A.I. 5·00	40·00—70·00 A.I. 5·00

Proposed Code No.	Present Code No.	Designation	Present Pay	Agreed Pay
A 31	MD4A	Nurse qualified . . .	128·58—214·28 A.I. 10·00	130·50—220·00 A.I. 10·00
A 33	MD 6	Croche Aya . . .	27·72—38·56 A.I. 3·00	30·00—39·00 A.I. 3·00
WORKS ESTABLISHMENT				
WE 1	EtA MtA	} General Foreman . . .	6·86—10·44—10·28	6·86—0·44—7·30 —0·50—8·30 —0·56—9·42 —0·62—10·04 —0·69—10·73
WE 2	M2 EtB			1·33—0·21—5·21 —0·37—6·03 —0·44—7·35 —0·50—8·35 —0·23—8·58
WE 3	EtC M3	} Assistant Foreman . . .	3·14—0·25—4·98 —0·31	3·48—0·25—4·23 —0·31—4·85 0·13—4·98
WE 4	E2			2·52—0·19—3·48 —0·26 —0·1—3·48
WE 5	E2A	Carpenter Grade I . . .	1·77—0·12—2·06 —0·10	1·77—0·12—2·01 —0·19—2·20 —0·16—2·36
WE 6	E2B	Carpenter Grade II . . .	1·23—0·12—1·61	1·23—0·12—1·50 —0·02—1·61
WE 7	E2D	Power Sawyer . . .	1·92—0·12—2·56 —0·19	1·92—0·12—2·04 —0·19—2·42 —0·16—2·58
WE 8	E2E	Hand Sawyer . . .	1·14—0·12—1·29	1·26—0·12—1·62
WE 9	E3 M4	} Fitter Grade I . . .	2·52—0·19—3·48 —0·25	2·52—0·19—3·09 —0·25—3·34 —0·14—3·48
WE 10	E3A M4A			1·87—0·12—2·36 —0·19 0—19—2·30 —0·06—2·36
WE 11	E3B M4B	Fitter Grade III . . .	1·23—0·12—1·87	1·23—0·12—1·83 —0·04—1·87
WE 12	E3D	Moulders Grade I . . .	2·52—0·19—3·48 —0·25	2·52—0·19—3·09 —0·25—3·34 —0·14—3·48
WE 13	E3E	Moulders Grade II . . .	1·87—0·12—2·36 —0·19	1·87—0·12—2·11 —0·19—2·30 —0·06—2·36
WE 14	E4	Turners Grade I . . .	2·52—0·19—3·27	2·52—0·19—3·09 —0·18—3·27
WE 15	E4A	Turners Grade II . . .	1·98—0·12—2·52 —0·19	1·98—0·12—2·10 —0·19—2·48 —0·04—2·52
WE 16	E4B	Turners Grade III . . .	1·23—0·12—1·98	1·23—0·12—1·95 —0·03—1·98
WE 17	E5	Fabricator & Erector Grade I . . .	3·11—0·25—3·75	3·11—0·25—3·61 —0·14—3·75
WE 18	E5A	Fabricator & Erector Grade II . . .	2·19—0·19—2·89	2·19—0·19—2·76 —0·13—2·89
WE 19	E6A	Mechinist Grade I . . .	2·30—0·19—3·05	2·30—0·19—2·87 —0·18—3·05

Proposed Code No.	Present Code No.	Designation	Present Pay	Agreed Pay
			Rs.	Rs.
WE 20	E6B	Mechinsit Grade II	1.77—0.12—2.30 —0.19	1.77—0.12—2.01 —0.19—2.20 —0.10—2.30
WE 21	E6C	Mechlnist Grade III	1.09—0.12—1.77	1.09—0.12—1.69 —0.08—1.77
WE 22	E7	Electric & Gas Welder Grade I	2.52—0.19—3.42 —0.25	2.52—0.19—3.09 —0.25—3.34 —0.14—3.48
WE 23	E7A	Do. Grade II	1.87—0.12—2.36 —0.19	1.87—0.12—2.11 —0.19—2.30 —0.06—2.36
WE 24	E7B	Do. Grade III	1.23—0.12—1.87	1.23—0.12—1.83 —0.04—1.87
WE 25	E8	Concrete Mixer Driver	1.14—0.12—1.50	1.14—0.12—1.50
WE 26	E9	Head Blacksmith	3.00—0.19—3.75 —0.25	3.00—0.19—3.57 —0.18—3.75
WE 27	E9A	Blacksmith Grade I	2.36—0.19—3.00	2.36—0.19—2.93 —0.07—3.00
WE 28	E9B	Blacksmith Grade II	1.61—0.12—2.25 —0.16	1.61—0.12—2.09 —0.16—2.25
WE 29	E9C	Blacksmith Grade III	1.23—0.12—1.61	1.23—0.12—1.59 —0.02—1.61
WE 30	E9D	Striker	1.09—0.12—1.29	1.09—0.12—1.57
WE 31	E10	Tinsmith Grade I	2.25—0.19—3.00	2.25—0.19—2.82 —0.88—3.00
WE 32	E10A	Tinsmith Grade II	1.77—0.12—2.14 —0.13—2.14	1.77—0.12—2.01 —0.13—2.14
WE 33	E10B	Tinsmith Grade III	1.23—0.12—1.61	1.23—0.12—1.59 —0.02—1.61
WE 34	E11	Pipe Fitter Grade I	2.36—0.19—3.00	2.36—0.19—2.93 —0.07—3.00
WE 35	E11A	Pipe Fitter Grade II	1.61—0.12—2.25	1.61—0.12—2.09 —0.16—2.25
WE 36	E11B	Pipe Fitter Grade III	1.23—0.12—1.61	1.23—0.12—1.59 —0.02—1.61
WE 37	E11C	Pipe Jointer & Caulker	1.14—0.12—1.61	1.14—0.11—1.50 —0.11—1.61
WE 38	E12	Electrician Grade I	3.11—0.25—3.75	3.10—0.25—4.10 —0.31—4.72
WE 39	E12B	Electrician Grade II	2.20—0.19—2.89	2.20—0.19—2.77 —0.12—2.89
WE 40	E12A	Electric Cable Jointer	3.11—0.25—3.75	3.10—0.25—4.10 —0.31—4.72
WE 41	E13	Electric Wireman Grade I	2.25—0.19—3.00	2.25—0.19—2.82 —0.18—3.00
WE 42	E13A	Electric Wireman Grade II	1.77—0.12—2.14	1.77—0.12—2.01 —0.13—2.14
WE 43	E13B	Electric Wireman Grade III	1.23—0.12—1.61	1.23—0.12—1.59 —0.02—1.61
WE 44	E14A	P.M.E. Fitter Grade I	3.4.—0.25—4.98	3.48—0.25—4.23 —0.31—4.85 —0.13—4.98
WE 45	E14B	P.M.E. Fitter Grade II	3.00—0.19—3.48	3.00—0.19—3.38 —0.10—3.48

Proposed Code No.	Present Code No.	Designation	Present Pay	Agreed Pay
			Rs.	Rs.
WE 46	E15	Hoist Driver Grade I .	3·22—0·25—4·02	3·34—0·25—4·09 —0·31—4·40
WE 47	E15A	Hoist Driver Grade II .	2·52—0·19—3·22	2·52—0·19—3·09 —0·25—3·34
WE 48	E15B	Hoist Driver Grade III .	1·23—0·12—1·98	1·23—0·12—2·07
WE 49	E15C	Hoist Brakesman .	1·19—0·12—1·50	1·19—0·12—1·43 —0·07—1·50
WE 50	E16	U.G. Pump Mistry .	1·87—0·12—2·52	1·87—0·12—2·11 —0·19—2·49 —0·03—2·52
WE 51	E16A	U.G. Pump Drivers .	1·25—0·12—1·50	1·25—0·12—1·49 —0·01—1·50
WE 52	E17	Rigger Mistry .	3·00—0·19—3·40	3·00—0·19—3·19 —0·25—3·69
WE 53	E17A	Rigger Grade I .	2·25—0·19—3·00	2·25—0·19—2·82 —0·18—3·00
WE 54	E17B	Rigger Grade II .	1·61—0·12—2·25	1·61—0·12—2·09 —0·16—2·25
WE 55	E17C	Rigger Grade III .	1·23—0·12—1·61	1·23—0·12—1·59 —0·02—1·61
WE 56	E18	Painter Grade I .	2·58—0·19—3·00	2·58—0·19—2·96 —0·04—3·00
WE 57	E18A	Painter Grade II .	1·92—0·12—2·58	1·92—0·12—2·04 —0·19—2·42 —0·16—2·58
WE 58	E19	Fitter M.V. Grade I .	2·25—0·19—3·00	2·25—0·19—2·82 —0·18—3·00
WE 59	E19A	Fitter M.V. Grade II .	1·61—0·12—2·25	1·61—0·12—2·09 —0·16—2·25
WE 60	E21	Transport Driver I .	2·25—0·19—3·00	2·25—0·19—2·82 —0·18—3·00
WE 61	E21A	Transport Driver II .	1·50—0·12—1·98	1·50—0·12—1·98
WE 62	E22	Diesel Mechanic Grade I .	2·52—0·19—3·48	2·52—0·19—3·09 —0·25—3·34 —0·14—3·48
WE 63	E22A	Diesel Mechanic Grade II .	1·87—0·12—2·36	1·87—0·12—2·11 —0·19—2·30 —0·06—2·36
WE 64	E22B	Diesel Mechanic Grade III .	1·23—0·12—1·87	1·23—0·12—1·83 —0·04—1·87
WE 65	E23	Diesel Driver Grade I .	2·25—0·19—3·00	2·25—0·19—2·82 —0·18—3·00
WE 66	E23A	Diesel Driver Grade II .	1·50—0·12—1·98	1·50—0·12—1·98
WE 67	E23B	Diesel Driver Grade III .	1·23—0·12—1·61	1·23—0·12—1·59 —0·02—1·61
WE 68	E24	Locomotive Driver .	2·14—0·19—3·00	2·14—0·19—2·90 —0·10—3·00
WE 69	E24A	Locomotive Pointsman .	1·14—0·12—1·29	1·14—0·12—1·26 —0·03—1·29
WE 70	E25	Filter Plant Pump Station I/C Grade I .	3·00—0·19—3·86	3·00—0·19—3·19 —0·25—3·69 —0·17—3·86
WE 71	E26	Do. Grade II .	1·72—0·12—2·58	1·72—0·12—2·08 —0·19—2·46 —0·12—2·58
WE 72	E26A	Do. Grade III .	1·14—0·12—1·50	1·14—0·12—1·50

Proposed Code No	Present Code No.	Designation	Present Pay Scale	Agreed Pay Scale
			Rs.	Rs
MILL DEPARTMENT				
M1	M 6	Screen Attendant	1 14—0 12—1 29	1 14—0 12—1 26 —0 03—1 29
M 2	M 7 M 8 M 12	} Strake, Filter, Pumpman Crusher and Fluxman	1 00—0 12—1 29	1 00—0 12—1 24 —0 05—1 29
M 3	M 5		1 14—0 12—1 50	1 14—0 12—1 50
M 4	M 11		1 50—0 12—2 14	1 50—0 12—2 10 —0 04—2 14
M 5	M11A	Furnacemen II	1 14—0 12—1 50	1 14—0 12—1 50
M 6	M 14	Mill Operator I	3 11—0 25—3 75	3 11—0 25—3 86 —0 10—3 96
M 7	M14A	Mill Operator II	2 20—0 19—2 89	2 31—0 19—3 07
M 8	M14B	Mill Operator III	1 72—0 12—2 30	1 88—0 12—2 12 —0 19—2 31
M 9	M14C	Mill Operator IV	1 28—0 12—1 72	1 28—0 12—1 88
M 10	M22	Host Attendant	1 23—0 12—1 77	1 23—0 12—1 71 —0 06—1 77
M11	M23	Weigh Bridge Operator	1 14—0 12—1 72	1 88—0 12—2 12 —0 19—2 50
UN O UN D DEPARTMENT				
BELOW SURFACE WORKING				
UG 1	UG 14	General Foreman	6 86—10 28	7 80—0 50—8 30— —0 56—9 42 —0 62—10 04 —0 69—10 73 —0 55—11 28
UG 2	UG D1	Diamond Drilling Foreman	9 00—10 28	9 00—0 56—9 56 —0 62—10 18 —0 69—10 87 —0 41—11 28
UG 3	UG S1	Shaft Sinking Foreman	9 00—10 28	9 00—0 56—9 56 —0 62—10 18 —0 69—10 87 —0 41—11 28
UG 4	UG 1B	Foreman	5 58—8 84	5 58—0 37—6 32 —0 44—7 20 —0 50—8 20 —0 56—8 76 —0 08—8 84
UG 5	UG 2	Assistant Foreman	3 86—5 41	3 86—0 25—4 11 —0 31—5 04 —0 37—5 41
UG 6	UG 3	Head Maistry	3 00—3 70	3 00—0 19—3 19 —0 25—3 69 —0 01—3 70
UG 7	UG 4	Maistry Grade I	2 14—0 19—2 89	2 14—0 19—2 71 —0 18—2 89
UG 8	UG 5	Maistry Grade II	1 50—0 12—2 03	1 50—0 12—1 98 —0 05—2 03

Proposed Code No.	Present Code No.	Designation	Present Pay Scale	Agreed Pay Scale
			Rs.	Rs.
UG 9	UG10 UG 7	Labour Machine Helpers Building, Concreting, Pack Walling, Plate Lying, Rail Setting, Timber, Pipe, Trimming, Unloading and other unclassified jobs.	1.25—0.12—1.50	1.25—0.12—1.49 —0.11—1.60
UG 10	UG-10 UG 20 UG 9	Bellman, 'Tea Boys Scavengers, Doorman.	1.25—0.12—1.50	1.25—0.12—1.49 —0.01—1.50
UG 11	UG 12	Scavenger Maistry	1.25—0.12—1.87	1.25—0.12—1.85 —0.02—1.87
UG 12	UG 13	Small Hoist Drivers	1.44—0.12—2.23 —0.09	1.44—0.12—2.04 —0.09—2.23
<i>Surface Working (UG)</i>				
UG 13	UG 11	Rock Drill Machine Fitters Grade I.	2.52—0.19—3.48 —0.25	2.52—0.19—3.09 —0.25—3.34 —0.14—3.48
UG 14	UG 12	Do. Grade II	1.87—0.12—2.52 —0.19	1.87—0.12—2.11 —0.19—2.49 —0.03—2.52
UG 15	UG13	Rock Drill Maching Fitters Grade III	1.23—0.12—1.77	1.23—0.12—1.71— 0.06—1.77
UG 16	UG14	Rock Drill Sharpner Grade I	2.36—0.19—3.00	2.36—0.19—2.93— 0.07—3.00
UG 17	UG15	Do. Grade II	1.61—0.12—2.25	1.61—0.12—2.09— 0.16—2.25
UG 18	UG16	Do. Grade III	1.23—0.12—1.61	1.23—0.12—1.59— 0.02—1.61
UG 19	UG17	Banksmen Grade I	1.50—0.12—1.98	1.80—0.12—2.04— 0.19—2.42
UG 20	UG17A	Do. Grade II	1.09—0.12—1.50	1.40—0.12—1.76— 0.04—1.80
UG 21	UG24	Crimpers	1.23—0.12—1.77	1.23—0.12—1.71— 0.06—1.77
WATCH & WARD DEPARTMENT				
W 1	WW3	Watchman Grade I	1.39—0.12—1.72	1.40—0.12—2.00
W 2	WW6	Do. Grade II	1.00—0.12—1.25	1.00—0.12—1.48
W 3	WW7	Women Searcher	1.00—0.05—1.25	1.00—0.12—1.24 0.01—1.25
W 4	WW4	Naik	1.14—0.12—1.39	1.14—0.12—1.62
SURFACE ESTABLISHMENT				
S 1	E41 } E47 }	Foreman Sanitary Overseer	4.98 8.58	4.98—0.31—5.29— 0.37—6.03—0.44 7.35—0.50—8.35 0.23—8.58
S 2	E41A	Assistant Foreman	3.00 4.50	3.25—0.25—4.25— 0.31—4.87
S 3	E42 E42A E48 UG19 UG18 UG21 M 20	Maistries General Purposes	1.00—0.12—1.50	1.15—0.10—1.55

Proposed Code No.	Present Code No.	Designation	Present Pay Scale	Agreed Pay Scale
			Rs.	Rs.
S 4	E21B E27 E43 E43A E49 E49A E52 E52A E23C UG19A UG18A UG22 UG22A UG23A M 9 M13 M15 M16 M19 M11B MD7 MD8	General Labour Men & Women, Sweepers, Thoties, Oilers, Clean- ers, etc. and other un- skilled labour.	1.00—0.12—1.25— 1.00—0.05—1.25	1.00—0.12—1.24— 0.01—1.25
S 5	E28 E45 UG23 M21	Apprentices	0.55—0.06—0.77	0.75—0.10—1.05
S 6	E2C E 3C E 4C E 6D E 7C E 13C E 46C	Improvers	1.14	1.15
S 7	E46	Masons Grade I	2.25—0.19—3.00	2.25—0.19—2.82— 0.18—3.00
S 8	E46A	Masons Grade II	1.77—0.12—2.14	1.77—0.12—2.01— 0.13—2.14
S 9	E46B	Masons Grade III	1.23—0.12—1.61	1.23—0.12—1.59— 0.02—1.61
S 10	E 50	Sprayer	1.00—0.12—1.29	1.00—0.12—1.24— 0.05—1.29
S 11	E44A	Working Cart (Cart, Driver & Bulls)	2.36—2.58	
		Cartman	1.00—0.12—1.24— 0.01—1.25	
		Balance for Cart & Bulls		

Sd. Illegible
Superintendent,
for The Hut i Gold Mines Co., Ltd.
9-6-61.

Sd. Illegible
9-6-61

Sd. Illegible
9-6-61

Sd. Illegible
Personnel Officer, The H.E.M. Co. Ltd.
9-6-61

Sd. Illegible
9-6-61

Sd. Illegible
9-6-61

New Delhi, the 17th July 1961

S.O. 1715.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Calcutta, in the industrial dispute between the employers in relation to the Chapui Khas Colliery and their workmen.

**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL,
CALCUTTA**

REFERENCE No. 6 OF 1961

Employers in relation to Chapui Khas Colliery

AND

Their workmen

PRESENT:

Sri L. P. Dave, Presiding Officer.

APPEARANCES:

For the employers: Sri S. D. Chandra, Agent, Chapui Khas Colliery.

For the workmen: Sri K. S. Roy, Vice-President, Colliery Mazdoor Sabha.

STATE: West Bengal.

INDUSTRY: Coal Mining.

Calcutta, the 7th July 1961

AWARD

Government of India, Ministry of Labour and Employment, by their order No. S.O. 2904 dated 23rd November 1960, referred a dispute between the Employers in relation to Chapui Khas Colliery and their workmen, in respect of a question whether the Management was justified in dismissing Sarvashri Manbahadur, Night Guard, and Kartik Muchi, Pick Minor, and if not, to what relief they were entitled, for an adjudication to the Industrial Tribunal, Dhanbad. By a subsequent order No. 3/90/61-LRII dated 1st June 1961, the Government withdrew the proceedings in relation to the above dispute from the Industrial Tribunal, Dhanbad, and transferred them to this Tribunal and directed that this Tribunal should proceed with the said proceedings from the stage at which they were transferred and dispose of the same according to law.

In response to a notice which had been issued by the Industrial Tribunal, Dhanbad, the parties had filed statements before it. The case of the Management was that on 14th April 1959 when the Manager of the Colliery was going in his Car, the above workmen along with other stopped the car by putting a cart across the road and thereby blocking the passage and on the Manager asking them the reason for doing so they abused him and also threatened to assault him. A charge sheet was served on them on 15th April 1959 to which they replied on 16th April 1959. After this a departmental enquiry was held by the Manager who held both the workmen guilty of misconduct and recommended their dismissal. The Superintendent of the Colliery agreed with the recommendation and ordered that they may be dismissed.

The workmen's case was that one Dhanu Loha had snatched away a file from one Sunil Sen and Manbahadur went to the Manager to complain about this. The workmen denied that Manbahadur and/or Kartik Muchi had abused or tried to assault the Manager. Regarding the departmental enquiry said to have been held, the workmen urged that it was a sham enquiry and that Manbahadur had not been allowed to produce witnesses in his defence. The workmen, therefore, urged that the order of dismissal should be set aside and the workmen should be reinstated with back wages.

When the matter came up for hearing before me today, there was a discussion between the representatives of the Employers and the workmen and ultimately they came to a settlement and produced it before me. A copy of the said settlement is attached to this award as Annexure A. Under the terms thereof Manbahadur is not to be reinstated, but is to receive an *ex-gratia* payment of Rs. 800/- (Rupees Eight hundred only) on his vacating the premises occupied by him. On the other hand, the other workman Sri Kartik Muchi is to be reinstated without a break in service and the period of absence is to be treated as 'Leave without pay'. After having gone through the papers and after having heard the parties, I think that the terms are fair and reasonable.

I, therefore, order that the terms be recorded and pass an award in terms thereof.

Dated, Calcutta,
The 7th July, 1961.

L. P. DAVE,
Presiding Officer,
Central Government Industrial
Tribunal, Calcutta.

ANNEXURE A

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, CALCUTTA

REFERENCE No. 6 OF 1961

Employers in relation to Chapui Khas Colliery

AND

Their Workmen

THE PARTIES AGREE:—

1. That Shri Kartik Muchi shall be reinstated with effect from the 12th July, 1961 or any subsequent day on which he reports for duty to the Manager, as a Drosser or trammer. The period from his date of dismissal to the date of his reinstatement should be treated as on leave without pay and should not be treated as a break in service.

2. The workmen do not press the case of Manbahadur and he is not to be reinstated. The Management has however agreed to make him an *ex-gratia* payment of Rs. 800/- (Rupees Eight hundred only) provided he vacates the Management's quarter now occupied by him before that date.

3. The Management agrees to pay Rs. 50/- (Rupees Fifty) as cost to the Union.

4. An award may be passed accordingly.

Sd/- S. D. CHANDRA,
Agent
Chapuri Khas Colliery.

Sd/- K. S. Roy
Vice-President,
Colliery Mazdoor Sabha.

[No. 2/162/59-LRII.]

ORDERS

New Delhi, the 14th July 1961

S.O. 1716.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Chapui Khas Colliery and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Dhanbad, constituted under section 7A of the said Act.

SCHEDULE

Whether the following workmen of Chapui Khas Colliery are doing the work of Heavy Tyndals as explained in job description No. 98 at Appendix XI (Vol. II) of the Award of the All India Industrial Tribunal (Colliery Disputes):—

- | | |
|----------------------|--------------------|
| 1. Shri Hari. | 8. Shri Man Singh. |
| 2. Shri Diplal. | 9. Shri Sambhoo. |
| 3. Shri Achar Singh. | 10. Shri Karma. |
| 4. Shri Supal. | 11. Shri Bibaran. |
| 5. Shri Mangia. | 12. Shri Singhara. |
| 6. Shri Budhan. | 13. Shri Sagar. |
| 7. Shri Seba. | |

If so, whether the management is justified in keeping them in Category V of the said Award? If not, to what further relief are they entitled?

[No. 1/3/59-LRII.]

S.O. 1717.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Ekra Khas Colliery and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Dhanbad, constituted under section 7A of the said Act.

SCHEDULE

Whether the management was justified in dismissing Shri Ramdeyas Singh, Night Guard, and if not, what relief he is entitled to?

[No. 2/139/61-LRII.]

New Delhi, the 15th July 1961

S.O. 1718.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Baghajoli Stone Mine of Shri Bharat Prasad Bhagat, P.O. Pakur (S.P.) and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Dhanbad, constituted under section 7A of the said Act.

SCHEDULE

Whether the management of Baghajoli Stone Mine of Shri Bharat Prasad Bhagat, P.O. Pakur was justified in terminating the services of Shri Santram Tewary, Depot Incharge with effect from 17th May, 1961? If not, to what relief is he entitled?

[No. 22/20/61-LRII.]

S.O. 1719.—Whereas the employers in relation to the Travancore Titanium Products Limited, Kochuveli, Trivandrum and their workmen represented by the Titanium Products Labour Union, T.C. 1744, Main Road, Trivandrum-1 have jointly applied to the Central Government for reference to a Tribunal of an industrial dispute in respect of the matters set forth in the said application reproduced in the Schedule hereto annexed;

And whereas the Central Government is satisfied that the said employees Union represents a majority of the workmen;

Now, therefore, in exercise of the powers conferred by Section 7A and sub-section (2) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Shri K. Purushothaman Nair, Industrial Tribunal, Trivandrum, Kerala State, shall be a sole member and refers the said dispute for adjudication to the said Industrial Tribunal.

SCHEDULE

Form of application for the reference of an industrial dispute to a Tribunal under Section 10(2) of the Industrial Disputes Act, 1947.

Whereas an industrial dispute exists between the management of Travancore Titanium Products Ltd., Trivandrum and their workmen represented by the Titanium Products Labour Union, Trivandrum and it is expedient that the dispute

Investigation and settlement should be referred for adjudication by a Tribunal an application is hereby made under sub-section (2) of section 10 of the Industrial Disputes Act, 1947, that the said dispute should be referred to a Tribunal.

This application is made by the undersigned who have been duly authorised to do so by virtue of a resolution (copy enclosed) adopted by a majority of the members present at a meeting of the Titanium Products Labour Union, Trivandrum held on the 20th day of December 1960.

A statement giving the particulars required under rule 3 of the Industrial Disputes (Central) Rules, 1957 is attached.

Dated the 19th April 1961.

Signature of employer:

(Sd.) A. Sethumadhava Menon,
Managing Director,
Travancore Titanium Products Ltd.,
Kochuvelli, Trivandrum.

Signature of the President of the trade union:

(Sd.) G. Chandrasekhara Pillai,
President,
Titanium Products Labour Union,
Main Road, Trivandrum-1.

Signature of Secretary of the trade union:

(Sd.) S. Varadarajan Nair,
General Secretary,
Titanium Products Labour Union,
Main Road, Trivandrum-1.

To

The Secretary to the Government of India,
Ministry of Labour.

TITANIUM PRODUCTS LABOUR UNION

Trivandrum.

Extract of the Minutes of the General Body Meeting of the Union held on 20th December 1960 at the Union Office, Trivandrum.

The Joint Secretary read in the meeting the terms of settlement of the conciliation conference held on 12th December 1960 and the meeting while ratifying the terms of settlement, resolved:—

"As the Management do not agree to promote M/s G. Balasubramoniam, V. A. Alexander and J. Thankappan also as Senior Clerks when they have promoted Sri N. Sukumaran Nair who is junior in the Department to the employees mentioned above, and also to reconsider the dismissal order issued to Sri N. Neelakanta Iyer, Mazdoor, Canteen, this meeting resolve that the matter may be referred for adjudication."

Moved by Sri P. Govindan Nair

Seconded by Sri N. Sreedharan Pillai

The resolution was unanimously passed.

(True Copy)
Sd/- Illegible
Joint Secretary.

Statement required under rule 3 of the Industrial Disputes (Central) Rules, 1957, to accompany the form of application prescribed under sub-section (2) of Section 10 of the Industrial Disputes Act, 1947:—

(a) Parties to the dispute including the name and address of the establishment or undertaking involved.

1. The Managing Director,
Travancore Titanium Products Ltd.,
Kochuvell, Trivandrum.
2. The President and General Secretary,
Titanium Products Labour Union,
T.C. 1744, Main Road, Trivandrum-1.

(b) Specific matters in dispute.

1. Whether the promotion of Sri N. Sukumaran Nair as a Senior Clerk in preference to Messrs. G. Balasubramaniam, J. Thankappan and V. A. Alexander was in order? If not, to what relief the latter three are entitled?
2. Whether the dismissal of Sri N. Neelakanta Iyer, Canteen Mazdoor, was justified? If not, to what relief is he entitled?

(c) Total number of workmen employed in the undertaking affected.
333 (Three hundred and thirty-three)

(d) Estimated number of workmen affected or likely to be affected by the dispute.

- (b) 1. 4 (Four)
2. 1 (One)

(e) Efforts made by the parties themselves to adjust the dispute.

Bi-partite discussions were held in the matter and later a conciliation conference was also held on 12th December 1960 when it was agreed to refer the above dispute jointly for adjudication.

For TRAVANCORE TITANIUM PRODUCTS TLD.,

(Sd.) A. Sethumadhava Menon,
Managing Director.
Signature of the Employer.

(Sd.) G. Chandrasekhara Pillai,
Signature of the President of the
trade union.

(Sd.) S. Varadarajan Nair,
Signature of the General
Secretary of the union.

[No. 23/8/61-LR.II.]

A. L. HANDA, Under Secy.

New Delhi, the 17th July 1961

S.O. 1720.—In exercise of the powers conferred by sub-section (1) of section 7 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes a Labour Court with headquarters at Madras and appoints Shri M. S. Abdul Azeez as the Presiding Officer of that Court

[No. 10(158)/60/I/LR.IV.]

S.O. 1721.—In exercise of the powers conferred by sub-section (1) of section 7 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes a Labour Court with headquarters at Ahmedabad and appoints Shri D. M. Vin as the Presiding Officer of that Court.

[No. 10(158)/60/II/LR.IV.]

S.O. 1722.—In exercise of the powers conferred by sub-section (2) of section 33B of the Industrial Disputes Act, 1947 (14 of 1947) (hereinafter referred to as the said Act), the Central Government hereby—

- (i) authorises the National Industrial Tribunal, Bombay, constituted under section 7B of the said Act by the notification of the Government of India in the Ministry of Labour and Employment No. S.O. 704, dated the 21st March, 1960, to transfer proceedings pending before it under section 33 or section 33A of the said Act to the Labour Court, Madras, or the Labour Court, Ahmedabad constituted under section 7 of the said Act by the notifications of the Government of India in the Ministry of Labour & Employment No. S.O. 1720, dated the 17th July, 1961 and No. S.O. 1721, dated the 17th July, 1961, respectively; and
- (ii) specifies each of the said Labour Courts as the Labour Court for the disposal of such proceedings transferred to it by the said National Industrial Tribunal.

[No. 10(158)/60/III/LRIV.]

G. JAGANNATHAN, Under Secy.

CORRIGENDUM,

New Delhi, the 12th July 1961

S.O. 1723.—In the Notification of Government of India in the Ministry of Labour and Employment No. S. O. 1394, dated the 8th June, 1961, appearing at page 1312, in the Gazette of India, Part II, Section 3(ii) dated the 17th June, 1961, for the words and figures.

“15th April, 1962”

read, “15th April, 1961”.

[No. LWI(I)-3(25)/60.]

K. D. HAJELA, Under Secy.

ERRATUM

In the Ministry of Labour and Employment Order No. 2/105/61-LRII, dated 8th June, 1961, published in the Gazette of India, Part II—Section 3(ii) dated 17th June, 1961, (S.O. 1401), the following correction is to be made:—

Page 1328.

for “Central Hurkend Colliery”

read “Central Kurkend Colliery”.